

THE
HISTORY OF ENGLAND,

FROM
THE INVASION OF JULIUS CÆSAR,

THE REVOLUTION IN 1688.

BY DAVID HUME, ESQ.

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CHAPTER XL.

ELIZABETH.

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CHARACTER OF THE PURITANS. 1562.

OF all the European churches which shook off the yoke of the papal authority, no one proceeded with so much reason and moderation as the church of England; an advantage which had been derived partly from the interposition of the civil magistrate in this innovation, partly from the gradual and slow steps by which the reformation was conducted in that kingdom. Rage and animosity against the catholic religion was as little indulged as could be supposed in such a revolution: the fabric of the secular hierarchy was maintained entire: the ancient liturgy was preserved, so far as was thought consistent with the new principles: many ceremonies, become venerable from age and preceding use, were retained: the splendour of the Romish worship, though removed, had at least given place to order and decency: the distinctive habits of the clergy, according to their different ranks, were continued: no innovation was admitted, merely from spite and opposition to former usage: and the new religion, by mitigating the genius of the ancient superstition, and rendering it more compatible with the peace and interests of society, had preserved itself in that happy medium which wise men have always sought, and which the people have so seldom been able to maintain.

But though such, in general, was the spirit of the reformation in that country, many of the English reformers, being men of more warm complexions and more obstinate tempers, endeavoured to push matters to extremities against the church of Rome, and indulged themselves in the most violent contrariety and antipathy to all former practices. Among these, Hooper, who afterwards suffered

for his religion with such extraordinary constancy, was chiefly distinguished. This man was appointed, during the reign of Edward, to the see of Gloucester, and made no scruple of accepting the episcopal office; but he refused to be consecrated in the episcopal habit, the cymarre and rochette, which had formerly, he said, been abused by superstition, and which were thereby rendered unbecoming a true christian. Cranmer and Ridley were surprised at this objection, which opposed the received practice, and even the established laws; and though young Edward, desirous of promoting a man so celebrated for his eloquence, his zeal, and his morals, enjoined them to dispense with this ceremony, they were still determined to retain it. Hooper then embraced the resolution, rather to refuse the bishopric than clothe himself in those hated garments; but it was deemed requisite, that, for the sake of the example, he should not escape so easily. He was first confined to Cranmer's house, then thrown into prison till he should consent to be a bishop on the terms proposed: he was plied with conferences, and reprimands, and arguments: Bucer and Peter Martyr, and the most celebrated foreign reformers, were consulted on this important question: and a compromise, with great difficulty, was at last made, that Hooper should not be obliged to wear commonly the obnoxious robes, but should agree to be consecrated in them, and to use them during cathedral service: a concession not a little extraordinary in a man of so inflexible a spirit as this reformer.

The same objection which had arisen with regard to the episcopal habit, had been moved against the raiment of the inferior clergy; and the surplice, in particular, with the tippet and corner cap; was a great object of abhorrence

to many of the popular zealots.² In vain was it urged that particular habits, as well as postures and ceremonies, having been constantly used by the clergy, and employed in religious service, acquire a veneration in the eyes of the people, appear sacred in their apprehensions, excite their devotion, and contract a kind of mysterious virtue, which attaches the affections of men to the national and established worship: that in order to produce this effect, an uniformity in these particulars is requisite, and even a perseverance, as far as possible, in the former practice: and that the nation would be happy, if, by retaining these inoffensive observances, the reformers could engage the people to renounce willingly what was absurd or pernicious in the ancient superstition. These arguments, which had influence with wise men, were the very reasons which engaged the violent protestants to reject the habits. They pushed matters to a total opposition with the church of Rome: every compliance, they said, was a symbolising with Antichrist.³ And this spirit was carried so far by some reformers, that in a national remonstrance made afterwards by the church of Scotland against these habits, it was asked, "What has Christ Jesus to do with Belial? What has darkness to do with light? If surplices, corner caps, and tippetts, have been badges of idolaters in the very act of their idolatry; why should the preacher of christian liberty, and the open rebuker of all superstition, partake with the dregs of the Romish beast? Yea, who is there that ought not rather to be afraid of taking in his hand, or on his forehead, the print and mark of that odious beast?"⁴ But this application was rejected by the English church.

There was only one instance in which the spirit of contradiction to the Romanists took place universally in England: the altar was removed from the wall, was placed in the middle of the church, and was thenceforth denominated the communion table. The reason why this innovation met with such general reception was, that the nobility and gentry got thereby a pretence for making spoil of the plate, vestures, and rich ornaments, which belonged to the altars.⁵

These disputes, which had been started during the reign of Edward, were carried abroad by the protestants, who fled from the persecutions of Mary; and as the zeal of these men had received an increase from the furious cruelty of their enemies, they were generally inclined to carry their opposition to the utmost extremity against the practices of the church of Rome. Their communication with Calvin and the other reformers, who followed the discipline and worship of Geneva, confirmed them in this obstinate reluctance; and though some of the refugees, particularly those who

were established at Francfort, still adhered to king Edward's liturgy, the prevailing spirit carried these confessors to seek a still farther reformation. On the accession of Elizabeth, they returned to their native country; and being regarded with general veneration, on account of their zeal and past sufferings, they ventured to insist on the establishment of their projected model; nor did they want countenance from many considerable persons in the queen's council. But the princess herself, so far from being willing to despoil religion of the few ornaments and ceremonies which remained in it, was rather inclined to bring the public worship still nearer to the Romish ritual;⁶ and she thought that the reformation had already gone too far in shaking off these forms and observances, which, without distracting men of more refined apprehensions, tend, in a very innocent manner, to allure, and amuse, and engage the vulgar. She took care to have a law for uniformity strictly enacted: she was empowered by the parliament to add any new ceremonies which she thought proper; and though she was sparing in the exercise of this prerogative, she continued rigid in exacting an observance of the established laws, and in punishing all non-conformity. The zealots, therefore, who harboured a great antipathy to the episcopal order, and to the whole liturgy, were obliged, in a great measure, to conceal these sentiments, which would have been regarded as highly audacious and criminal; and they confined their avowed objections to the surplice, the confirmation of children, the sign of the cross in baptism, the ring in marriage, kneeling at the sacrament, and bowing at the name of Jesus. So fruitless is it for sovereigns to watch with a rigid care over orthodoxy, and to employ the sword in religious controversy, that the work, perpetually renewed, is perpetually to begin; and a garb, a gesture, nay a metaphysical or grammatical distinction, when rendered important by the disputes of theologians, and the zeal of the magistrate, is sufficient to destroy the unity of the church, and even the peace of society. These controversies had already excited such ferment among the people, that in some places they refused to frequent the churches where the habits and ceremonies were used; would not salute the conforming clergy; and proceeded so far as to revile them in the streets, to spit in their faces, and to use them with all manner of contumely.⁷ And while the sovereign authority checked these excesses, the flame was confined, not extinguished, and burning fiercer from confinement, it burst out in the succeeding reigns to the destruction of the church and monarchy.

All enthusiasts, indulging themselves in rapacious flights, ecstasies, visions, inspirations, have a natural aversion to episcopal authority,

ceremonies, rites, and forms, which they denominate superstition, or beggarly elements and which seem to restrain the liberal effusions of their zeal and devotion: but there was another set of opinions adopted by these innovators, which rendered them in a peculiar manner the object of Elizabeth's aversion. The same bold and daring spirit, which accompanied them in their addresses to the divinity, appeared in their political speculations; and the principles of civil liberty, which, during some reigns, had been little avowed in the nation, and which were totally incompatible with the present exorbitant prerogative, had been strongly adopted by this new sect. Scarcely any sovereign before Elizabeth, and none after her, carried higher, both in speculation and practice, the authority of the crown; and the puritans (so these sectaries were called, on account of their pretending to a superior purity of worship and discipline) could not recommend themselves worse to her favour, than by inculcating the doctrine of resisting or restraining princes. From all these motives, the queen neglected no opportunity of depressing those zealous innovators; and while they were secretly countenanced by some of her most favoured ministers, Cecil, Leicester, Knolles, Bedford, Walsingham, she never was, to the end of her life, reconciled to their principles and practices.

We have thought proper to insert in this place an account of the rise and genius of the puritans; because Camden marks the present year, as the period when they began to make themselves considerable in England. We now return to our narration.

DUKE OF NORFOLK'S CONSPIRACY. 1569.

THE duke of Norfolk was the only peer that enjoyed the highest title of nobility; and as there was at present no princes of the blood, the splendour of his family, the opulence of his fortune, and the extent of his influence, had rendered him without comparison the first subject in England. The qualities of his mind corresponded to his high station: beneficent, affable, generous, he had acquired the affections of the people; prudent, moderate, obsequious, he possessed, without giving her any jealousy, the good graces of his sovereign. His grandfather and father had long been regarded as the leaders of the Catholics; and this hereditary attachment, joined to the alliance of blood, had procured him the friendship of the most considerable men of that party but as he had been educated among the reformers, was sincerely devoted to their principles, and maintained that strict decorum and regularity of life, by which the Protestants were at that time distinguished;

he thereby enjoyed the rare felicity of being popular even with the most opposite factions. The height of his prosperity alone was the source of his misfortunes, and engaged him in attempts, from which his virtue and prudence would naturally have for ever kept him at a distance.

Norfolk was at this time a widower; and being of a suitable age, his marriage with the queen of Scots had appeared so natural, that it had occurred to several of his friends and those of that princess: but the first person, who, after secretary Lidington, opened the scheme to the duke, is said to have been the earl of Murray, before his departure for Scotland.⁸ That nobleman set before Norfolk both the advantage of composing the dissensions in Scotland by an alliance, which would be so generally acceptable, and the prospect of reaping the succession of England; and in order to bind Norfolk's interest the faster with Mary's, he proposed that the duke's daughters should also espouse the young king of Scotland. The previously obtaining of Elizabeth's consent, was regarded, both by Murray and Norfolk, as a circumstance essential to the success of their project; and all terms being adjusted between them, Murray took care, by means of sir Robert Melvil, to have the design communicated to the queen of Scots. This princess replied, that the vexations which she had met with in her two last marriages, had made her more inclined to lead a single life; but she was determined to sacrifice her own inclinations to the public welfare: and therefore, as soon as she should be legally divorced from Bothwell, she would be determined by the opinion of her nobility and people in the choice of another husband.⁹

It is probable that Murray was not sincere in this proposal. He had two motives to engage him to dissimulation. He knew the danger which he must run in his return through the North of England, from the power of the earls of Northumberland and Westmoreland, Mary's partisans in that country; and he dreaded an insurrection in Scotland from the duke of Chatelrault and the earls of Argyle and Huntley, whom she had appointed her lieutenants during her absence. By these feigned appearances of friendship, he both engaged Norfolk to write in his favour to the northern noblemen;¹⁰ and he persuaded the queen of Scots to give her lieutenants permission, and even advice, to conclude a cessation of hostilities with the regent's party.¹¹

The duke of Norfolk, though he had agreed that Elizabeth's consent should be previously obtained before the completion of his marriage, had reason to apprehend that he never should prevail with her voluntarily to make that concession. He knew her perpetual and unrelenting jealousy against her heir and rival; he

was acquainted with her former reluctance to all proposals of marriage with the queen of Scots; he foresaw that this princess's espousing a person of his power and character and interest, would give the greatest umbrage; and as it would then become necessary to reinstate her in possession of her throne on some tolerable terms, and even to endeavour the re-establishing of her character, he dreaded lest Elizabeth, whose politics had now taken a different turn, would never agree to such indulgent and generous conditions. He therefore attempted previously to gain the consent and approbation of several of the most considerable nobility; and he was successful with the earls of Pembroke, Arundel, Derby, Bedford, Shrewsbury, Southampton, Northumberland, Westmoreland, Sussex.¹² Lord Lumley and Sir Nicholas Throgmorton cordially embraced the proposal: even the earl of Leicester, Elizabeth's declared favourite, who had formerly entertained some views of espousing Mary, willingly resigned all pretensions, and seemed to enter zealously into Norfolk's interests.¹³ There were other motives, besides affection to the duke, which produced this general combination of the nobility.

Sir William Cecil, secretary of state, was the most vigilant, active, and prudent minister ever known in England; and as he was governed by no views but the interests of his sovereign, which he had inflexibly pursued, his authority over her became every day more predominant. Ever cool himself, and uninfluenced by prejudice or affection, he checked those sallies of passion, and sometimes of caprice, to which she was subject; and if he failed of persuading her in the first movement, his perseverance, and remonstrances, and arguments, were sure at last to recommend themselves to her sound discernment. The more credit he gained with his mistress, the more was he exposed to the envy of her other counsellors; and as he had been supposed to adopt the interests of the house of Suffolk, whose claim seemed to carry with it no danger to the present establishment, his enemies, in opposition to him, were naturally led to attach themselves to the queen of Scots. Elizabeth saw, without uneasiness, this emulation among her courtiers, which served to augment her own authority: and though she supported Cecil, whenever matters came to extremities, and dissipated every conspiracy against him, particularly one laid about this time for having him thrown into the Tower on some pretence or other,¹⁴ she never gave him such unlimited confidence as might enable him entirely to crush his adversaries.

Norfolk, sensible of the difficulty which he must meet with in controlling Cecil's counsels, especially where they concurred with the inclination as well as interest of the queen,

durst not open to her his intentions of marrying the queen of Scots; but proceeded still in the same course, of increasing his interest in the kingdom, and engaging more of the nobility to take part in his measures. A letter was written to Mary by Leicester, and signed by several of the first rank, recommending Norfolk for her husband, and stipulating conditions for the advantage of both kingdoms particularly, that she should give sufficient surety to Elizabeth, and the heirs of her body, for the free enjoyment of the crown of England; that a perpetual league, offensive and defensive, should be made between their realms and subjects; that the protestant religion should be established by law in Scotland; and that she should grant an amnesty to her rebels in that kingdom.¹⁵ When Mary returned a favourable answer to this application, Norfolk employed himself with new ardour in the execution of his project; and besides securing the interests of many of the considerable gentry and nobility who resided at court, he wrote letters to such as lived at their country-seats, and possessed the greatest authority in the several counties.¹⁶ The kings of France and Spain, who interested themselves extremely in Mary's cause, were secretly consulted, and expressed their approbation of these measures.¹⁷ And though Elizabeth's consent was always supposed as a previous condition to the finishing of this alliance, it was apparently Norfolk's intention, when he proceeded such lengths without consulting her, to render his party so strong, that it should no longer be in her power to refuse it.¹⁸

It was impossible that so extensive a conspiracy could entirely escape the queen's vigilance and that of Cecil. She dropped several intimations to the duke, by which he might learn that she was acquainted with his designs and she frequently warned him to beware on what pillow he reposed his head.¹⁹ but he never had the prudence or the courage to open to her his full intentions. Certain intelligence of this dangerous combination was given her first by Leicester, then by Murray,²⁰ who, if ever he was sincere in promoting Norfolk's marriage, which is much to be doubted, had at least intended, for his own safety, and that of his party, that Elizabeth should, in reality, as well as in appearance, be entire arbiter of the conditions, and should not have her consent extorted by any confederacy of her own subjects. This information gave great alarm to the court of England; and the more so, as those intrigues were attended with other circumstances, of which, it is probable, Elizabeth was not wholly ignorant.

Among the nobility and gentry that seemed to enter into Norfolk's views, there were many, who were zealously attached to the catholic religion, who had no other design than that

of restoring Mary to her liberty, and who would gladly, by a combination with foreign powers, or even at the expence of a civil war, have placed her on the throne of England. The earls of Northumberland and Westmoreland, who possessed great power in the North, were leaders of this party; and the former nobleman made offer to the queen of Scots, by Leonard Daeres, brother to lord Daeres, that he would free her from confinement, and convey her to Scotland, or any other place to which she should think proper to retire.²¹ Sir Thomas and sir Edward Stanley, sons of the earl of Derby, sir Thomas Gerrard Rolleston, and other gentlemen, whose interest lay in the neighbourhood of the place where Mary resided, concurred in the same views; and required that, in order to facilitate the execution of the scheme, a diversion should, in the mean time, be made from the side of Flangers.²² Norfolk discouraged, and even in appearance suppressed, these conspiracies; both because his duty to Elizabeth would not allow him to think of effecting his purpose by rebellion, and because he foresaw that, if the queen of Scots came into the possession of these men, they would rather choose for her husband the king of Spain, or some foreign prince, who had power as well as inclination, to re-establish the catholic religion.²³

When men of honour and good principles, like the duke of Norfolk, engage in dangerous enterprises, they are commonly so unfortunate as to be criminal by halves; and while they balance between the execution of their designs and their remorses, their fear of punishment and their hope of pardon, they render themselves an easy prey to their enemies. The duke, in order to repress the surmises spread against him, spoke contemptuously to Elizabeth of the Scottish alliance; affirmed that his estate in England was more valuable than the revenue of a kingdom wasted by civil wars and factions; and declared that, when he amused himself in his own tennis-court at Norwich amidst his friends and vassals, he deemed himself at least a petty prince, and was fully satisfied with his condition.²⁴ Finding that he did not convince her by these asseverations, and that he was looked on with a jealous eye by the ministers, he retired to his country-seat without taking leave.²⁵ He soon after repented of this measure, and set out on his return to court, with a view of using every expedient to regain the queen's good graces; but he was met at St. Alban's by Fitz-Garret, lieutenant of the band of pensioners, by whom he was conveyed to Burnham, three miles from Windsor, where the court then resided.²⁶ He was soon after committed to the Tower, under the custody of sir Henry Nevil.²⁷ Lesley, bishop of Ross, the queen of Scots' ambassador, was examined, and confronted with Norfolk before

the council.²⁸ The earl of Pembroke was confined to his own house. Arundel, Lumley, and Throgmorton were taken into custody. The queen of Scots herself was removed to Coventry; all access to her was, during some time, more strictly prohibited; and viscount Hereford was joined to the earls of Shrewsbury and Huntingdon in the office of guarding her.

INSURRECTIONS IN THE NORTH.

A RUMOUR had been diffused in the North of an intended rebellion; and the earl of Sussex, president of York, alarmed with the danger, sent for Northumberland and Westmoreland, in order to examine them; but not finding any proof against them, he allowed them to depart. The report meanwhile gained ground daily; and many appearances of its reality being discovered, orders were dispatched by Elizabeth to these two noblemen to appear at court, and answer for their conduct.²⁹ They had already proceeded so far in their criminal designs, that they dared not to trust themselves in her hands: they had prepared measures for a rebellion; had communicated their design to Mary and her ministers;³⁰ had entered into a correspondence with the duke of Alva, governor of the Low Countries; had obtained his promise of a reinforcement of troops, and of a supply of arms and ammunition; and had prevailed on him to send over to London Chiapino Vitelli, one of his most famous captains, on pretence of adjusting some differences with the queen; but in reality with a view of putting him at the head of the northern rebels. The summons, sent to the two earls, precipitated the rising before they were fully prepared; and Northumberland remained in suspense between opposite dangers, when he was informed that some of his enemies were on the way with a commission to arrest him. He took horse instantly, and hastened to his associate Westmoreland, whom he found surrounded with his friends and vassals, and deliberating with regard to the measures which he should follow in the present emergency. They determined to begin the insurrection without delay; and the great credit of these two noblemen, with that zeal for the catholic religion which still prevailed in the neighbourhood, soon drew together multitudes of the common people. They published a manifesto, in which they declared, that they intended to attempt nothing against the queen, to whom they avowed unshaken allegiance; and that their sole aim was to re-establish the religion of their ancestors, to remove evil counsellors, and to restore the duke of Norfolk and other faithful peers to their liberty and to the queen's favour.³¹ The numbers of the malcontents amounted to four thousand foot and sixteen

hundred horse; and they expected the concurrence of all the catholics in England.³²

The queen was not negligent in her own defence, and she had beforehand, from her prudent and wise conduct, acquired the general good-will of her people, the best security of a sovereign; inasmuch that even the catholics in most counties expressed an affection for her service;³³ and the duke of Norfolk himself, though he had lost her favour, and lay in confinement, was not wanting, as far as his situation permitted, to promote the levies among his friends and retainers. Sussex, attended by the earls of Rutland, the lords Hunsdon, Evers, and Willoughby of Parham, marched against the rebels at the head of seven thousand men, and found them already advanced to the bishopric of Durham, of which they had taken possession. They retired before him to Hexham; and hearing that the earl of Warwick and lord Clinton were advancing against them with a greater body, they found no other resource than to disperse themselves without striking a blow. The common people retired to their houses: the leaders fled into Scotland. Northumberland was found skulking in that country, and was confined by Murray in the castle of Lochleven. Westmoreland received shelter from the chieftains of the Kers and Scots, partisans of Mary; and persuaded them to make an inroad into England, with a view of exciting a quarrel between the two kingdoms. After they had committed great ravages, they retreated to their own country. This sudden and precipitate rebellion was followed soon after by another still more imprudent, raised by Leonard Paeres. Lord Hunsdon, at the head of the garrison of Berwick, was able, without any other assistance, to quell these rebels. Great severity was exercised against such as had taken part in these rash enterprises. Sixty-six petty constables were hanged;³⁴ and no less than eight hundred persons are said, on the whole, to have suffered by the hand of the executioner.³⁵ But the queen was so well pleased with Norfolk's behaviour, that she released him from the Tower; allowed him to live, though under some show of confinement, in his own house; and only exacted a promise from him not to proceed any farther in his negotiations with the queen of Scots.³⁶

Elizabeth now found that the detention of Mary was attended with all the ill consequences which she had foreseen when she first embraced that measure. This latter princess, recovering, by means of her misfortunes and her own natural good sense, of that delirium into which she seems to have been thrown during her attachment to Bothwell, had behaved with such modesty and judgment, and even dignity, that every one who approached her was charmed with her demeanor; and

her friends were enabled, on some plausible grounds, to deny the reality of all those crimes which had been imputed to her.³⁷ Compassion for her situation, and the necessity of procuring her liberty, proved an incitement among all her partisans to be active in promoting her cause; and as her deliverance from captivity, it was thought, could nowise be effected but by attempts dangerous to the established government, Elizabeth had reason to expect little tranquillity so long as the Scottish queen remained a prisoner in her hands. But as this inconvenience had been referred to the danger of allowing that princess to enjoy her liberty, and to seek relief in all the catholic courts of Europe, it behoved the queen to support the measure which she had adopted, and to guard, by every prudent expedient, against the mischiefs to which it was exposed. She still flattered Mary with hopes of her protection, maintained an ambiguous conduct between that queen and her enemies in Scotland, negotiated perpetually concerning the terms of her restoration, made constant professions of friendship to her; and by these artifices endeavoured both to prevent her from making any desperate efforts for her deliverance, and to satisfy the French and Spanish ambassadors, who never intermitted their solicitations, sometimes accompanied with menaces, in her behalf. This deceit was received with the same deceit by the queen of Scots: professions of confidence were returned by professions equally insincere: and while an appearance of friendship was maintained on both sides, the animosity and jealousy, which had long prevailed between them, became every day more inveterate and incurable. These two princesses, in address, capacity, activity, and spirit, were nearly a match for each other; but unhappily, Mary, besides her present forlorn condition, was always inferior, in personal conduct and discretion, as well as in power, to her illustrious rival.

Elizabeth and Mary wrote at the same time letters to the regent. The queen of Scots desired, that her marriage with Bothwell might be examined, and a divorce be legally pronounced between them. The queen of England gave Murray the choice of three conditions; that Mary should be restored to her dignity on certain terms; that she should be associated with her son, and the administration remain in the regent's hands till the young prince should come to years of discretion; or that she should be allowed to live at liberty as a private person in Scotland, and have an honourable settlement made in her favour.³⁸ Murray summoned a convention of states, in order to deliberate on these proposals of the two queens: no answer was made by them to Mary's letter, on pretence that she had there

employed the style of a sovereign, addressing herself to her subjects: but in reality, because they saw that her request was calculated to prepare the way for a marriage with Norfolk, or some powerful prince, who could support her cause, and restore her to the throne. They replied to Elizabeth, that the two former conditions were so derogatory to the royal authority of their prince, that they could not so much as deliberate concerning them: the third alone could be the subject of treaty. It was evident that Elizabeth, in proposing conditions so unequal in their importance, invited the Scots to a refusal of those which were most advantageous to Mary; and as it was difficult, if not impossible, to adjust all the terms of the third, so as to render it secure and eligible to all parties, it was concluded that she was not sincere in any of them.³⁹

ASSASSINATION OF THE EARL OF MURRAY. Jan. 23, 1570.

It is pretended that Murray had entered into a private negotiation with the queen, to get Mary delivered into his hands;⁴⁰ and as Elizabeth found the detention of her in England so dangerous, it is probable that she would have been pleased, on any honourable or safe terms, to rid herself of a prisoner who gave her so much inquietude. [See note A, at the end of this Vol.] But all these projects vanished by the sudden death of the regent, who was assassinated, in revenge of a private injury, by a gentleman of the name of Hamilton. Murray was a person of considerable vigour, abilities, and constancy; but though he was not unsuccessful, during his regency, in composing the dissensions in Scotland, his talents shone out more eminently in the beginning than in the end of his life. His manners were rough and austere; and he possessed not that perfect integrity, which frequently accompanies, and can alone atone for, that unamiable character.

By the death of the regent, Scotland relapsed into anarchy. Mary's party assembled together, and made themselves masters of Edinburgh. The castle, commanded by Kirkcaldy of Grange, seemed to favour her cause; and as many of the principal nobility had embraced that party, it became probable, though the people were in general averse to her, that her authority might again acquire the ascendant. To check its progress, Elizabeth dispatched Sussex with an army to the North, under colour of chastising the ravages committed by the borderers. He entered Scotland and laid waste the lands of the Kers and Scots, seized the castle of Hume, and committed hostilities on all Mary's partisans, who, he said, had offended his mistress by harbouring the English rebels. Sir William Drury was after-

wards sent with a body of troops, and he threw down the houses of the Hamiltons who were engaged in the same faction. The English armies were afterwards recalled by agreement with the queen of Scots, who promised, in return, that no French troops should be introduced into Scotland, and that the English rebels should be delivered up to the queen by her partisans.⁴¹

But though the queen, covering herself with the pretence of revenging her own quarrel, so far contributed to support the party of the young king of Scots, she was cautious not to declare openly against Mary; and she even sent a request, which was equivalent to a command, to the enemies of that princess, not to elect, during some time, a regent in the place of Murray.⁴² Lenox, the king's grandfather, was therefore chosen temporary governor, under the title of Lieutenant. Hearing afterwards that Mary's partisans, instead of delivering up Westmoreland, and the other fugitives, as they had promised, had allowed them to escape into Flanders; she permitted the king's party to give Lenox the title of Regent,⁴³ and she sent Randolph, as her resident, to maintain a correspondence with him. But notwithstanding this step, taken in favour of Mary's enemies, she never laid aside her ambiguous conduct, or quitted the appearance of amity to that princess. Being importuned by the bishop of Ross, and her other agents, as well as by foreign ambassadors, she twice procured a suspension of arms between the Scottish factions, and by that means stopped the hands of the regent, who was likely to obtain advantages over the opposite party.⁴⁴ By these seeming contrarieties she kept alive the factions in Scotland, increased their mutual animosity, and rendered the whole country a scene of devastation and of misery.⁴⁵ She had no intention to conquer the kingdom, and consequently no interest or design to instigate the parties against each other; but this consequence was an accidental effect of her cautious politics, by which she was engaged, as far as possible, to keep on good terms with the queen of Scots, and never to violate the appearances of friendship with her, at least those of neutrality. [See note B, at the end of this Vol.]

The better to amuse Mary with the prospect of an accommodation, Cecil and sir Walter Mildmay were sent to her with proposals from Elizabeth. The terms were somewhat rigorous, such as a captive queen might expect from a jealous rival; and they thereby bore the greater appearance of sincerity on the part of the English court. It was required that the queen of Scots, besides renouncing all title to the crown of England during the life-time of Elizabeth, should make a perpetual league, offensive and defensive, between the kingdoms;

that she should marry no Englishman without Elizabeth's consent, nor any other person without the consent of the states of Scotland; that compensation should be made for the late ravages committed in England; that justice should be executed on the murderers of king Henry; that the young prince should be sent into England, to be educated there; and that six hostages, all of them noblemen, should be delivered to the queen of England, with the castle of Hume, and some other fortress, for the security of performance.⁴⁶ Such were the conditions upon which Elizabeth promised to contribute her endeavours towards the restoration of the deposed queen. The necessity of Mary's affairs obliged her to consent to them; and the kings of France and Spain, as well as the pope, when consulted by her, approved of her conduct; chiefly on account of the civil wars, by which all Europe was at that time agitated, and which menaciated the catholic princes from giving her any assistance.⁴⁷

Elizabeth's commissioners proposed also to Mary a plan of accommodation with her subjects in Scotland; and after some reasoning on that head, it was agreed that the queen should require Lenox, the regent, to send commissioners, in order to treat of conditions under her mediation. The partisans of Mary boasted, that all terms were fully settled with the court of England, and that the Scottish rebels would soon be constrained to submit to the authority of their sovereign: but Elizabeth took care that these rumours should meet with no credit, and that the king's party should not be discouraged, nor sink too low in their demands. Cecil wrote to inform the regent, that all the queen of England's proposals, so far from being fixed and irrevocable, were to be discussed anew in the conference; and desired him to send commissioners who should be constant in the king's cause, and cautious not to make concessions which might be prejudicial to their party.⁴⁸ Sussex also, in his letters, dropped hints to the same purpose; and Elizabeth herself said to the abbot of Dunfermling, whom Lenox had sent to the court of England, that she would not insist on Mary's restoration, provided the Scots could make the justice of their cause appear to her satisfaction; and that, even if their reasons should fall short of full conviction, she would take effectual care to provide for their future security.⁴⁹

1571. On the 1st of March the parliament of Scotland appointed the earl of Morton and sir James Macgill, together with the abbot of Dunfermling, to manage the treaty. These commissioners presented memorials, containing reasons for the deposition of their queen; and they seconded their arguments with examples drawn from the Scottish history, with the authority of laws, and with the sentiments of many famous divines. The lofty ideas which

Elizabeth had entertained, of the absolute, indefeasible right of sovereigns, made her be shocked with these republican topics; and she told the Scottish commissioners, that she was nowise satisfied with their reasons for justifying the conduct of their countrymen; and that they might therefore, without attempting any apology, proceed to open the conditions which they required for their security.⁵⁰ They replied, that their commission did not empower them to treat of any terms which might infringe the title and sovereignty of their young king, but they would gladly hear whatever proposals should be made them by her majesty. The conditions recommended by the queen were not disadvantageous to Mary; but as the commissioners still insisted, that they were not authorised to treat in any manner concerning the restoration of that princess,⁵¹ the conferences were necessarily at an end; and Elizabeth dismissed the Scottish commissioners with injunctions, that they should return, after having procured more ample powers from their parliament.⁵² The bishop of Ross openly complained to the English council, that they had abused his mistress by fair promises and professions; and Mary herself was no longer at a loss to judge of Elizabeth's insincerity. By reason of these disappointments, matters came still nearer to extremities between the two princesses; and the queen of Scots, finding all her hopes eluded, was more strongly incited to make, at all hazards, every possible attempt for her liberty and security.

An incident also happened about this time, which tended to widen the breach between Mary and Elizabeth, and to increase the vigilance and jealousy of the latter princess. Pope Pius V. who had succeeded Paul, after having endeavoured in vain to conciliate by gentle means the friendship of Elizabeth, whom his predecessor's violence had irritated, issued at last a bull of excommunication against her, deprived her of all title to the crown, and absolved her subjects from their oaths of allegiance.⁵³ It seems probable, that this attack on the queen's authority was made in concert with Mary, who intended by that means to forward the northern rebellion; a measure which was at that time in agitation.⁵⁴ John Felton affixed this bull to the gates of the bishop of London's palace; and scorning either to fly or to deny the fact, he was seized and condemned, and received the crown of martyrdom, for which he seems to have entertained so violent an ambition.⁵⁵

A PARLIAMENT. April 2.

A NEW parliament, after five years' interval, was assembled at Westminster; and as the queen, by the rage of the pope against her, was become still more the head of the ruling

party, it might be expected, both from this incident and from her own prudent and vigorous conduct, that her authority over the two houses would be absolutely uncontrollable. It was so in fact; yet is it remarkable, that it prevailed not without some small opposition; and that too arising chiefly from the height of zeal for protestantism; a disposition of the English, which in general contributed extremely to increase the queen's popularity. We shall be somewhat particular in relating the transactions of this session, because they show, as well the extent of the royal power during that age, as the character of Elizabeth, and the genius of her government. It will be curious also to observe the faint dawn of the spirit of liberty among the English, the jealousy with which that spirit was repressed by the sovereign, the imperious conduct which was maintained in opposition to it, and the ease with which it was subdued by this arbitrary princess.

The lord keeper Bacon, after the speaker of the commons was elected, told the parliament in the queen's name, that she enjoined them not to meddle with any matters of state:⁵⁶ such was his expression; by which he probably meant, the questions of the queen's marriage and the succession, about which they had before given her some uneasiness: for as to the other great points of government, alliances, peace and war, or foreign negotiations, no parliament in that age ever presumed to take them under consideration, or question, in these particulars, the conduct of their sovereign, or of his ministers.

In the former parliament, the puritans had introduced seven bills for a farther reformation of religion; but they had not been able to prevail in any one of them.⁵⁷ This house of commons had sitten a very few days, when Strickland, a member, revived one of the bills, that for the amendment of the liturgy.⁵⁸ The chief objection, which he mentioned, was the sign of the cross in baptism. Another member added the kneeling at the sacrament: and remarked that, if a posture of humiliation were requisite in that act of devotion, it were better that the communicants should throw themselves prostrate on the ground, in order to keep at the widest distance from former superstition.⁵⁹

Religion was a point, of which Elizabeth was, if possible, still more jealous than of matters of state. She pretended that, in quality of supreme head or governor of the church, she was fully empowered, by her prerogative alone, to decide all questions which might arise with regard to doctrine, discipline, or worship; and she never would allow her parliaments so much as to take these points into consideration.⁶⁰ The courtiers did not forget to insist on this topic: the treasurer of the house-

allowed that any heresy might be repressed by parliament (a concession which seems to have been rash and unguarded; since the act, investing the crown with the supremacy, or rather recognising that prerogative, gave the sovereign full power to reform all heresies,) yet he affirmed, that it belonged to the queen alone, as head of the church, to regulate every question of ceremony in worship.⁶¹ The comptroller seconded this argument; insisted on the extent of the queen's prerogative; and said that the house might, from former examples, have taken warning not to meddle with such matters. One Pistor opposed these remonstrances of the courtiers. He was scandalized, he said, that affairs of such infinite consequence (namely, kneeling and making the sign of the cross) should be passed over so slightly. These questions, he added, concern the salvation of souls, and interest every one more deeply than the monarchy of the whole world. This cause he showed to be the cause of God; the rest were all but terrene, yea trifles in comparison, call them ever so great: subsidies, crowns, kingdoms, he knew not what weight they had when laid in the balance with subjects of such unspeakable importance.⁶² Though the zeal of this member seems to have been approved of, the house, overawed by the prerogative, voted upon the question, that a petition should be presented to her majesty, for her licence to proceed farther in this bill; and, in the mean time, that they should stop all debate or reasoning concerning it.⁶³

Matters would probably have rested here, had not the queen been so highly offended with Strickland's presumption, in moving the bill for reformation of the liturgy, that she summoned him before the council, and prohibited him thenceforth from appearing in the house of commons.⁶⁴ This act of power was too violent even for the submissive parliament to endure. Carleton took notice of the matter; complained that the liberties of the house were invaded; observed that Strickland was not a private man, but represented a multitude; and moved that he might be sent for, and, if he were guilty of any offence, might answer for it at the bar of the house, which he insinuated to be the only competent tribunal.⁶⁵ Yelverton enforced the principles of liberty with still greater boldness. He said, that the precedent was dangerous: and though in this happy time of lenity, among so many good and honourable personages, as were at present invested with authority, nothing of extremity or injury was to be apprehended; yet the times might alter; what now is permitted, might hereafter be construed as duty; and might be enforced even on the ground of the present permission. He added, that all matters not treasonable, or which implied not too much derogation of the imperial

crown, might, without offence, be introduced into parliament; where every question that concerned the community must be considered, and where even the right of the crown itself must finally be determined. He remarked, that men sat not in that house in their private capacities, but as elected by their country; and though it was proper that the prince should retain his prerogative, yet was that prerogative limited by law: as the sovereign could not of himself make laws, neither could he break them, merely from his own authority.⁶⁶

These principles were popular, and noble, and generous; but the open assertion of them was, at this time, somewhat new in England, and the courtiers were more warranted by present practice, when they advanced a contrary doctrine. The treasurer warned the house to be cautious in their proceedings; neither to venture farther than their assured warrant might extend, nor hazard their good opinion with her majesty in any doubtful case. The member, he said, whose attendance they required, was not restrained on account of any liberty of speech, but for his exhibiting a bill in the house against the prerogative of the queen; a temerity which was not to be tolerated. And he concluded with observing, that even speeches, made in that house, had been questioned and examined by the sovereign.⁶⁷ Clerke, another member, remarked, that the sovereign's prerogative is not so much as disputable, and that the safety of the queen is the safety of the subject. He added, that, in questions of divinity, every man was for his instruction to repair to his ordinary; and he seems to insinuate, that the bishops themselves, for their instruction, must repair to the queen.⁶⁸ Fleetwood observed, that, in his memory, he knew a man, who, in the fifth of the present queen, had been called to account for a speech in the house. But lest this example should be deemed too recent, he would inform them, from the parliament rolls, that, in the reign of Henry V. a bishop was committed to prison by the king's command, on account of his freedom of speech; and the parliament presumed not to go farther than to be humble suitors for him: in the subsequent reign the speaker himself was committed with another member; and the house found no other remedy than a like submissive application. He advised the house to have recourse to the same expedient; and not to presume either to send for their member, or demand him as of right.⁶⁹ During this speech, those members of the privy-council who sat in the house whispered together; upon which the speaker moved, that the house should make stay of all farther proceedings: a motion which was immediately complied with. The queen, finding that the experiment which she had made was likely to

excite a great ferment, saved her honour by this silence of the house; and lest the question might be resumed, she sent next day to Strickland her permission to give his attendance in parliament.⁷⁰

Notwithstanding this rebuke from the throne, the zeal of the commons still engaged them to continue the discussion of those other bills which regarded religion; but they were interrupted by a still more arbitrary proceeding of the queen, in which the lords condescended to be her instruments. This house sent a message to the commons, desiring that a committee might attend them. Some members were appointed for that purpose; and the upper house acquainted them, that the queen's majesty being informed of the articles of reformation which they had canvassed, approved of them, intended to publish them, and to make the bishops execute them, by virtue of her royal authority, as supreme head of the church of England: but that she would not permit them to be treated of in parliament.⁷¹ The house, though they did not entirely stop proceedings on account of this injunction, seem to have been nowise offended at such haughty treatment; and in the issue all the bills came to nothing.

A motion made by Robert Bell, a puritan, against an exclusive patent granted to a company of merchants in Bristol,⁷² gave also occasion to several remarkable incidents. The queen, some days after the motion was made, sent orders by the mouth of the speaker, commanding the house to spend little time in motions, and to avoid long speeches. All the members understood that she had been offended, because a matter had been moved which seemed to touch her prerogative.⁷³ Fleetwood accordingly spoke of this delicate subject. He observed, that the queen had a prerogative of granting patents; that to question the validity of any patent, was to invade the royal prerogative; that all foreign trade was entirely subject to the pleasure of the sovereign; that even the statute which gave liberty of commerce, admitted of all prohibitions from the crown; and that the prince, when he granted an exclusive patent, only employed the power vested in him, and prohibited all others from dealing in any particular branch of commerce. He quoted the clerk of the parliament's book, to prove that no man might speak in parliament of the statute of wills, unless the king first gave licence; because the royal prerogative in the wards was thereby touched. He showed likewise the statutes of Edward I. Edward III. and Henry IV. with a saving of the prerogative. And in Edward VI.'s time, the protector was applied to, for his allowance to mention matters of prerogative.⁷⁴

Sir Humphrey Gilbert, the gallant and renowned sea-adventurer, carried these topics

still farther. He endeavoured to prove the motion made by Bell to be a vain device, and perilous to be treated of; since it tended to the derogation of the prerogative imperial, which whoever should attempt so much as in fancy, could not, he said, be otherwise accounted than an open enemy. For what difference is there between saying that the queen is not to use the privilege of the crown, and saying that she is not queen? And though experience has shown so much clemency in her majesty, as might, perhaps, make subjects forget their duty; it is not good to sport or venture too much with princes. He reminded them of the fable of the hare, who, upon the proclamation that all horned beasts should depart the court, immediately fled, lest his ears should be construed to be horns; and by this apologue he seems to insinuate, that even those who heard or permitted such dangerous speeches, would not themselves be entirely free from danger. He desired them to beware, lest, if they meddled farther with these matters, the queen might look to her own power; and finding herself able to suppress their challenged liberty, and to exert an arbitrary authority, might imitate the example of Lewis XI. of France, who, as he termed it, delivered the crown from wardship.⁷⁵

Though this speech gave some disgust, nobody, at the time, replied any thing, but that sir Humphrey mistook the meaning of the house, and of the member who made the motion: they never had any other purpose, than to represent their grievances, in due and seemly form, unto her majesty. But in a subsequent debate, Peter Wentworth, a man of a superior free spirit, called that speech an insult on the house; noted sir Humphrey's disposition to flatter and fawn on the prince; compared him to the camelion, which can change itself into all colours, except white; and recommended to the house a due care of liberty of speech, and of the privileges of parliament.⁷⁶ It appears, on the whole, that the motion against the exclusive patent had no effect. Bell, the member who first introduced it, was sent for by the council, and was severely reprimanded for his temerity. He returned to the house with such an amazed countenance, that all the members, well informed of the reason, were struck with terror; and during some time no one durst rise to speak of any matter of importance, for fear of giving offence to the queen and the council. Even after the fears of the commons were somewhat abated, the members spoke with extreme precaution; and by employing most of their discourse in preambles and apologies, they showed their conscious terror of the rod which hung over them. Wherever any delicate point was touched, though ever so gently; nay seemed to be approached, though at ever so great a

distance, the whisper ran about the house, "The queen will be offended; the council will be extremely displeased;" and by these surmises men were warned of the danger to which they exposed themselves. It is remarkable, that the patent, which the queen defended with such imperious violence, was contrived for the profit of four courtiers, and was attended with the utter ruin of seven or eight thousand of her industrious subjects.⁷⁷

Thus every thing which passed the two houses was extremely respectful and submissive; yet did the queen think it incumbent on her, at the conclusion of the session (29th May), to check, and that with great severity, those feeble efforts of liberty, which had appeared in the motions and speeches of some members. The lord keeper told the commons, in her majesty's name, that, though the majority of the lower house had shown themselves in their proceedings discreet and dutiful, yet a few of them had discovered a contrary character, and had justly merited the reproach of audacious, arrogant, and presumptuous: contrary to their duty both as subjects and parliament men, nay contrary to the express injunctions given them from the throne at the beginning of the session, injunctions which it might well become them to have better attended to, they had presumed to call in question her majesty's grants and prerogatives. But her majesty warns them, that since they thus wilfully forget themselves, they are otherwise to be admonished: some other species of correction must be found for them; since neither the commands of her majesty, nor the example of their wiser brethren, can reclaim their audacious, arrogant, and presumptuous folly, by which they are thus led to meddle with what nowise belongs to them, and what lies beyond the compass of their understanding.⁷⁸

In all these transactions appears clearly the opinion which Elizabeth had entertained of the duty and authority of parliaments. They were not to canvas any matters of state; still less were they to meddle with the church. Questions of either kind were far above their reach, and were appropriated to the prince alone, or to those councils and ministers with whom he was pleased to intrust them. What then was the office of parliaments? They might give directions for the due tanning of leather, or milling of cloth; for the preservation of pheasants and partridges; for the reparation of bridges and highways; for the punishment of vagabonds or common beggars. Regulations concerning the police of the country came properly under their inspection; and the laws of this kind which they prescribed had, if not a greater, yet a more durable authority, than those which were derived solely from the proclamations of the sovereign. Precedents or reports could fix a rule for decisions in private

property, or the punishment of crimes; but no alteration or innovation in the municipal law could proceed from any other source than the parliament; nor would the courts of justice be inducing to change their established practice by an order in council. But the most acceptable part of parliamentary proceedings was the granting of subsidies; the attainting and punishing of the obnoxious nobility, or any minister of state after his fall; the countenancing of such great efforts of power, as might be deemed somewhat exceptionable, when they proceeded entirely from the sovereign. The redress of grievances was sometimes promised to the people; but seldom could have place, while it was an established rule, that the prerogatives of the crown must not be abridged, or so much as questioned and examined in parliament. Even though monopolies and exclusive companies had already reached an enormous height, and were every day increasing to the destruction of all liberty, and extinction of all industry; it was criminal in a member to propose, in the most dutiful and regular manner, a parliamentary application against any of them.

These maxims of government were not kept secret by Elizabeth, or smoothed over by airy fair appearances or plausible pretences. They were openly avowed in her speeches and messages to parliament; and were accompanied with all the haughtiness, nay sometimes bitterness, of expression, which the meanest servant could look for from his offended master. Yet notwithstanding this conduct, Elizabeth continued to be the most popular sovereign that ever swayed the sceptre of England; because the maxims of her reign were conformable to the principles of the times, and to the opinion generally entertained with regard to the constitution. The continued encroachments of popular assemblies on Elizabeth's successors have so changed our ideas in these matters, that the passages above mentioned appear to us extremely curious, and even at first surprising; but they were so little remarked during the time, that neither Camden, though a contemporary writer, nor any other historian, has taken any notice of them. So absolute indeed was the authority of the crown, that the precious spark of liberty had been kindled, and was preserved, by the puritans alone; and it was to this sect, whose principles appear so frivolous and habits so ridiculous, that the English owe the whole freedom of their constitution. Actuated by that zeal which belongs to innovators, and by the courage which enthusiasm inspires, they hazarded the utmost indignation of their sovereign; and employing all their industry to be elected into parliament, a matter not difficult while a seat was rather regarded as a burden than an advantage,⁷⁹ they first acquired a majority in that assembly, and then

obtained an ascendant over the church and monarchy.

The following were the principal laws enacted this session. It was declared treason, during the lifetime of the queen, to affirm, that she was not the lawful sovereign, or that any other possessed a preferable title, or that she was a heretic, schismatic, or infidel, or that the laws and statutes cannot limit and determine the right of the crown and the successor thereof: to maintain in writing or printing, that any person except the *natural issue* of her body, is or ought to be the queen's heir or successor, subjected the person and all his abettors, for the first offence, to imprisonment during a year, and to the forfeiture of half their goods: the second offence subjected them to the penalty of a premunire.⁸⁰ This law was plainly levelled against the queen of Scots and her partisans; and implied an avowal, that Elizabeth never intended to declare her successor. It may be noted, that the usual phrase of *lawful issue*, which the parliament thought indecent towards the queen, as if she could be supposed to have any other, was changed into that of *natural issue*. But this alteration was the source of pleasantry during the time; and some suspected a deeper design, as if Leicester intended, in case of the queen's demise, to produce some bastard of his own, and affirm that he was her offspring.⁸¹

It was also enacted, that whosoever by bulls should publish absolutions or other rescripts of the pope, or should, by means of them, reconcile any man to the church of Rome, such offenders, as well as those who were so reconciled, should be guilty of treason. The penalty of a premunire was imposed on every one who imported any *Agnus Dei*, crucifix, or such other implement of superstition, consecrated by the pope.⁸² The former laws against usury were enforced by a new statute.⁸³ A supply of one subsidy and two fifteenths was granted by parliament. The queen, as she was determined to yield to them none of her power, was very cautious in asking them for any supply. She endeavoured, either by a rigid frugality to make her ordinary revenues suffice for the necessities of the crown, or she employed her prerogative, and procured money by the granting of patents, monopolies, or by some such ruinous expedient.

Though Elizabeth possessed such uncontrolled authority over her parliaments, and such extensive influence over her people; though during a course of thirteen years she had maintained the public tranquillity, which was only interrupted by the hasty and ill-concerted insurrection in the North; she was still kept in great anxiety, and felt her throne perpetually totter under her. The violent commotions excited in France and the Low Countries, as well as in Scotland, seemed in one

view to secure her against any disturbance; but they served, on more reflection, to instruct her in the danger of her situation, when she remarked that England, no less than these neighbouring countries, contained the seeds of intestine discord, the differences of religious opinion, and the furious intolerance and animosity of the opposite sectaries.

CIVIL WARS OF FRANCE.

THE league formed at Bayonne in 1566 for the extermination of the protestants, had not been concluded so secretly but intelligence of it had reached Condé, Coligni, and the other leaders of the hugonots; and finding that the measures of the court agreed with their suspicions, they determined to prevent the cruel perfidy of their enemies, and to strike a blow before the catholics were aware of the danger. The hugonots, though dispersed over the whole kingdom, formed a kind of separate empire; and being closely united, as well by their religious zeal as by the dangers to which they were perpetually exposed, they obeyed, with entire submission, the orders of their leaders, who were ready on every signal to fly to arms. The king and queen-mother were living in great security at Montceaux in Brie, when they found themselves surrounded by protestant troops, which had secretly marched thither from all quarters; and had not a body of Swiss come speedily to their relief, and conducted them with great intrepidity to Paris, they must have fallen, without resistance, into the hands of the malcontents. A battle was afterwards fought in the plains of St. Dennis; where, though the old constable Montmorency, the general of the catholics, was killed combating bravely at the head of his troops, the hugonots were finally defeated. Condé, collecting his broken forces, and receiving a strong reinforcement from the German protestants, appeared again in the field; and laying siege to Chartres, a place of great importance, obliged the court to agree to a new accommodation.

So great was the mutual animosity of those religionists, that even had the leaders on both sides been ever so sincere in their intentions for peace, and reposed ever so much confidence in each other, it would have been difficult to retain the people in tranquillity; much more, where such extreme jealousy prevailed, and where the court employed every pacification as a snare for their enemies. A plan was laid for seizing the person of the prince and admiral; who narrowly escaped to Rochelle, and summoned their partisans to their assistance.⁸⁴ The civil wars were renewed with greater fury than ever, and the parties became still more exasperated against each other. The young duke of Anjou, brother to the king, commanded the forces of the catholics; and fought, in

1569, a great battle at Jarnac with the hugonots, where the prince of Condé was killed and his army defeated. This discomfiture, with the loss of so great a leader, reduced not the hugonots to despair. The admiral still supported the cause; and having placed at the head of the protestants the prince of Navarre, then sixteen years of age, and the young prince of Condé, he encouraged the party rather to perish bravely in the field, than ignominiously by the hands of the executioner. He collected such numbers, so determined to endure every extremity, that he was enabled to make head against the duke of Anjou; and being strengthened by a new reinforcement of Germans, he obliged that prince to retreat, and to divide his forces.

Coligni then laid siege to Poitiers; and as the eyes of all France were fixed on this enterprise, the duke of Guise, emulous of the renown which his father had acquired by the defence of Metz, threw himself into the place, and so animated the garrison by his valour and conduct, that the admiral was obliged to raise the siege. Such was the commencement of that unrivalled fame and grandeur afterwards attained by this duke of Guise. The attachment which all the catholics had borne to his father was immediately transferred to the son; and men pleased themselves in comparing all the great and shining qualities which seemed in a manner hereditary in that family. Equal in affability, in munificence, in address, in eloquence, and in every quality which engages the affections of men; equal also in valour, in conduct, in enterprise, in capacity; there seemed only this difference between them, that the son, educated in more turbulent times, and finding a greater dissolution of all law and order, exceeded the father in ambition and temerity, and was engaged in enterprises still more destructive to the authority of his sovereign, and to the repose of his native country.

Elizabeth, who kept her attention fixed on the civil commotions of France, was nowise pleased with this new rise of her enemies the Guises; and being anxious for the fate of the protestants, whose interests were connected with her own,⁸⁵ she was engaged, notwithstanding her aversion from all rebellion, and from all opposition to the will of the sovereign, to give them secretly some assistance. Besides employing her authority with the German princes, she lent money to the queen of Navarre, and received some jewels as pledges for the loan. And she permitted Henry Champernon to levy, and transport over into France, a regiment of a hundred gentlemen volunteers; among whom Walter Raleigh, then a young man, began to distinguish himself in that great school of military valour.⁸⁶ The admiral, constrained by the impatience of his troops, and

by the difficulty of subsisting them, fought with the duke of Anjou the battle of Moncontour in Poictou, where he was wounded and defeated. The court of France, notwithstanding their frequent experience of the obstinacy of the hugonots, and the vigour of Coligni, vainly flattered themselves that the force of the rebels was at last finally annihilated; and they neglected further preparations against a foe, who, they thought, could never more become dangerous. They were surprised to hear that this leader had appeared, without dismay, in another quarter of the kingdom; had encouraged the young princes, whom he governed, to like constancy; had assembled an army; had taken the field, and was even strong enough to threaten Paris. The public finances, diminished by the continued disorders of the kingdom, and wasted by so many fruitless military enterprises, could no longer bear the charge of a new armament; and the king, notwithstanding his extreme animosity against the hugonots, was obliged, in 1570, to conclude an accommodation with them, to grant them a pardon for all past offences, and to renew the edicts for liberty of conscience.

Though a pacification was seemingly concluded, the mind of Charles was nowise reconciled to his rebellious subjects; and this accommodation, like all the foregoing, was nothing but a snare by which the perfidious court had projected to destroy at once, without danger, all its formidable enemies. As the two young princes, the admiral, and the other leaders of the hugonots, instructed by past experience, discovered an extreme distrust of the king's intentions, and kept themselves in security at a distance, all possible artifices were employed to remove their apprehensions, and to convince them of the sincerity of the new counsels which seemed to be embraced. The terms of the pact were religiously observed to them; the toleration was strictly maintained; all attempts made by the zealous catholics to infringe it were punished with severity; offices, and favours, and honours, were bestowed on the principal nobility among the protestants; and the king and council every where declared, that, tired of civil disorders, and convinced of the impossibility of forcing men's consciences, they were thenceforth determined to allow every one the free exercise of his religion.

Among the other artifices employed to lull the protestants into a fatal security, Charles affected to enter into close connection with Elizabeth; and as it seemed not the interest of France to forward the union of the two kingdoms of Great Britain, that princess the more easily flattered herself that the French monarch would prefer her friendship to that of the queen of Scots. The better to deceive her, proposals of marriage were made her with

the duke of Anjou; a prince whose youth, beauty, and reputation for valour, might naturally be supposed to recommend him to a woman who had appeared not altogether insensible to these endowments. The queen immediately founded on this offer the project of deceiving the court of France; and being intent on that artifice, she laid herself the more open to be deceived. Negotiations were entered into with regard to the marriage; terms of the contract were proposed; difficulties started and removed; and the two courts, equally insincere, though not equally culpable, seemed to approach every day nearer to each other in their demands and concessions. The great obstacle seemed to lie in adjusting the difference of religion; because Elizabeth, who recommended toleration to Charles, was determined not to grant it in her own dominions, not even to her husband; and the duke of Anjou seemed unwilling to submit, for the sake of interest, to the dishonour of an apostasy.⁸⁷

The artificial politics of Elizabeth never triumphed so much in any contrivances as in those which were conjoined with her coquetry; and as her character in this particular was generally known, the court of France thought that they might, without danger of forming any final conclusion, venture the farther in their concessions and offers to her. The queen also had other motives for dissimulation. Besides the advantage of discouraging Mary's partisans, by the prospect of an alliance between France and England, her situation with Philip demanded her utmost vigilance and attention; and the violent authority established in the Low Countries, made her desirous of fortifying herself even with the bare appearance of a new confederacy.

AFFAIRS OF THE LOW COUNTRIES.

THE theological controversies which had long agitated Europe had, from the beginning, penetrated into the Low Countries; and as these provinces maintained an extensive commerce, they had early received from every kingdom with which they corresponded, a tincture of religious innovation. An opinion at that time prevailed, which had been zealously propagated by priests, and implicitly received by sovereigns, that, heresy was closely connected with rebellion, and that every great or violent alteration in the church involved a like revolution in the civil government. The forward zeal of the reformers would seldom allow them to wait the consent of the magistrature to their innovations: they became less dutiful when opposed and punished; and though their pretended spirit of reasoning and inquiry was, in reality, nothing but a new species of implicit faith, the prince took the alarm, as if no institutions could be secure from

the temerity of their researches. The emperor Charles, who proposed to augment his authority, under pretence of defending the catholic faith, easily adopted these political principles; and notwithstanding the limited prerogative which he possessed in the Netherlands, he published the most arbitrary, severe, and tyrannical edicts against the protestants; and he took care that the execution of them should be no less violent and sanguinary. He was neither cruel nor bigoted in his natural disposition; yet an historian, celebrated for moderation and caution, has computed that in the several persecutions promoted by that monarch, no less than a hundred thousand persons perished by the hands of the executioner.⁸⁸ But these severe remedies, far from answering the purposes intended, had rather served to augment the numbers as well as zeal of the reformers; and the magistrates of the several towns, seeing no end of those barbarous executions, felt their humanity rebel against their principles, and declined any farther persecution of the new doctrines.

When Philip succeeded to his father's dominions, the Flemings were justly alarmed with new apprehensions; lest their prince, observing the lenity of the magistrates, should take the execution of the edicts from such remiss hands, and should establish the inquisition in the Low Countries, accompanied with all the iniquities and barbarities which attended it in Spain. The severe and unrelenting character of the man, his professed attachment to Spanish manners, the inflexible bigotry of his principles: all these circumstances increased their terror. and when he departed the Netherlands, with a known intention never to return, the disgust of the inhabitants was extremely augmented, and their dread of those tyrannical orders which their sovereign, surrounded with Spanish ministers, would issue from his cabinet at Madrid. He left the duchess of Parma governess of the Low Countries; and the plain good sense and good temper of that princess, had she been intrusted with the sole power, would have preserved the submission of those opulent provinces, which were lost from that refinement of treacherous and barbarous politics on which Philip so highly valued himself. The Flemings found, that the name alone of regent remained with the duchess; that cardinal Granville entirely possessed the king's confidence; that attempts were every day made on their liberties; that a resolution was taken never more to assemble the states; that new bishoprics were arbitrarily erected, in order to enforce the execution of the persecuting edicts; and that, on the whole, they must expect to be reduced to the condition of a province under the Spanish monarchy. The discontents of the nobility gave countenance to the complaints of the gentry, which encour-

raged the mutiny of the populace; and all orders of men showed a strong disposition to revolt. Associations were formed, tumultuary petitions presented, names of distinction assumed, badges of party displayed; and the current of the people, impelled by religious zeal and irritated by feeble resistance, rose to such a height, that in several towns, particularly in Antwerp, they made an open invasion on the established worship, pillaged the churches and monasteries, broke the images, and committed the most unwarrantable disorders.

The wiser part of the nobility, particularly the prince of Orange, and the counts Egmont and Horn, were alarmed at these excesses, to which their own discontents had at first given countenance; and seconding the wisdom of the governess, they suppressed the dangerous insurrections, punished the ringleaders, and reduced all the provinces to a state of order and submission. But Philip was not contented with the re-establishment of his ancient authority: he considered, that provinces so remote from the seat of government could not be ruled by a limited prerogative; and that a prince, who must entreat rather than command, would necessarily, when he resided not among the people, feel every day a diminution of his power and influence. He determined, therefore, to lay hold of the late popular disorders, as a pretence for entirely abolishing the privileges of the Low Country provinces; and for ruling them thenceforth with a military and arbitrary authority.

In the execution of this violent design, he employed a man, who was a proper instrument in the hands of such a tyrant. Ferdinand of Toledo, duke of Alva, had been educated amidst arms; and having attained a consummate knowledge in the military art, his habits led him to transfer into all government the severe discipline of a camp, and to conceive no measures between prince and subject, but those of rigid command and implicit obedience. This general, in 1568, conducted from Italy to the Low Countries a powerful body of veteran Spaniards: and his avowed animosity to the Flemings, with his known character, struck that whole people with terror and consternation. It belongs not to our subject to relate at length those violences which Alva's natural barbarity, steered by reflection, and aggravated by insolence, exercised on those flourishing provinces. It suffices to say, that all their privileges, the gift of so many princes, and the inheritance of so many ages, were openly and expressly abolished by edict; arbitrary and sanguinary tribunals erected; the counts Egmont and Horn, in spite of their great merits and past services, brought to the scaffold; multitudes of all ranks thrown into confinement, and thence delivered over to the executioner: and not

withstanding the peaceable submission of all men, nothing was heard of but confiscation, imprisonment, exile, torture and death.

Elizabeth was equally displeased to see the progress of that scheme, laid for the extermination of the protestants, and to observe the erection of so great a military power, in a state situated in so near a neighbourhood. She gave protection to all the Flemish exiles who took shelter in her dominions; and as many of these were the most industrious inhabitants of the Netherlands, and had rendered that country celebrated for its arts, she reaped the advantage of introducing into England some useful manufactures, which were formerly unknown in that kingdom. Foreseeing that the violent government of Alva could not long subsist without exciting some commotion, she ventured to commit an insult upon him, which she would have been cautious not to hazard against a more established authority. Some Genoese merchants had engaged, by contract with Philip, to transport into Flanders the sum of four hundred thousand crowns; and the vessels, on which this money was embarked, had been attacked in the Channel by some privateers equipped by the French hugonots, and had taken shelter in Plymouth and Southampton. The commanders of the ships pretended that the money belonged to the king of Spain; but the queen, finding upon inquiry that it was the property of Genoese merchants, took possession of it as a loan; and by that means deprived the duke of Alva of this resource in the time of his greatest necessity. Alva, in revenge, seized all the English merchants in the Low Countries, threw them into prison, and confiscated their effects. The queen retaliated by a like violence on the Flemish and Spanish merchants; and gave all the English liberty to make reprisals on the subjects of Philip.

These differences were afterwards accommodated by treaty, and mutual reparations were made to the merchants: but nothing could repair the loss which so well-timed a blow inflicted on the Spanish government in the Low Countries. Alva, in want of money, and dreading the immediate mutiny of his troops, to whom great arrears were due, imposed by his arbitrary will the most ruinous taxes on the people. He not only required the hundredth penny, and the twentieth of all immovable goods; he also demanded the tenth of all moveable goods on every sale; an absurd tyranny, which would not only have destroyed all arts and commerce, but even have restrained the common intercourse of life. The people refused compliance: the duke had recourse to his usual expedient of the gibbet: and thus matters came still nearer the last extremities between the Flemings and the Spaniards.⁸⁷

NEW CONSPIRACY OF THE DUKE OF NORFOLK.

ALL the enemies of Elizabeth, in order to revenge themselves for her insults, had naturally recourse to one policy, the supporting of the cause and pretensions of the queen of Scots; and Alva, whose measures were ever violent, soon opened a secret intercourse with that princess. There was one Rodolph, a Florentine merchant, who had resided about fifteen years in London, and who, while he conducted his commerce in England, had managed all the correspondence of the court of Rome with the catholic nobility and gentry.⁸⁸ He had been thrown into prison at the time when the duke of Norfolk's intrigues with Mary had been discovered; but either no proof was found against him, or the part which he had acted was not very criminal; and he soon after recovered his liberty. This man zealous for the catholic faith, had formed a scheme, in concert with the Spanish ambassador, for subverting the government, by a foreign invasion and a domestic insurrection; and when he communicated his project, by letter, to Mary, he found that, as she was now fully convinced of Elizabeth's artifices, and despaired of ever recovering her authority, or even her liberty, by pacific measures, she willingly gave her concurrence. The great number of discontented catholics were the chief source of their hopes on the side of England; and they also observed, that the kingdom was, at that time, full of indigent gentry, chiefly younger brothers, who having at present, by the late decay of the church, and the yet languishing state of commerce, no prospect of a livelihood suitable to their birth, were ready to throw themselves into any desperate enterprise.⁸⁹ But in order to inspire life and courage into all these malcontents, it was requisite that some great nobleman should put himself at their head; and no one appeared to Rodolph, and to the bishop of Ross, who entered into all these intrigues, so proper, both on account of his power and his popularity, as the duke of Norfolk.

This nobleman, when released from confinement in the Tower, had given his promise, that he would drop all intercourse with the queen of Scots;⁹⁰ but finding that he had lost, and, as he feared, beyond recovery, the confidence and favour of Elizabeth, and being still, in some degree, restrained from his liberty, he was tempted, by impatience and despair, to violate his word, and to open anew his correspondence with the captive princess.⁹¹ A promise of marriage was renewed between them; the duke engaged to enter into all her interests; and as his remorse gradually diminished in the course of these transactions, he

was pushed to give his consent to enterprises still more criminal. Rodolphi's plan was, that the duke of Alva should, on some other pretence, assemble a great quantity of shipping in the Low Countries; should transport a body of six thousand foot, and four thousand horse, into England; should land them at Harwich, where the duke of Norfolk was to join them with all his friends; should thence march directly to London, and oblige the queen to submit to whatever terms the conspirators should please to impose upon her.⁹⁴ Norfolk expressed his assent to this plan; and three letters, in consequence of it, were written in his name by Rodolphi, one to Alva, another to the pope, and a third to the king of Spain; but the duke, apprehensive of the danger, refused to sign them.⁹⁵ He only sent to the Spanish ambassador a servant and confidant, named Barker, as well to notify his concurrence in the plan, as to vouch for the authenticity of these letters; and Rodolphi, having obtained a letter of credence from the ambassador, proceeded on his journey to Brussels and to Rome. The duke of Alva and the pope embraced the scheme with alacrity: Rodolphi informed Norfolk of their intentions;⁹⁶ and every thing seemed to concur in forwarding the undertaking.

Norfolk, notwithstanding these criminal enterprises, had never entirely forgotten his duty to his sovereign, his country, and his religion; and though he had laid the plan both of an invasion and an insurrection, he still flattered himself, that the innocence of his intentions would justify the violence of his measures, and that, as he aimed at nothing but the liberty of the queen of Scots, and the obtaining of Elizabeth's consent to his marriage, he could not justly reproach himself as a rebel and a traitor.⁹⁷ It is certain, however, that, considering the queen's vigour and spirit, the scheme, if successful, must finally have ended in dethroning her; and her authority was here exposed to the utmost danger.

TRIAL OF NORFOLK. Jan. 12, 1572.

THE conspiracy hitherto had entirely escaped the vigilance of Elizabeth, and that of secretary Cecil, who now bore the title of lord Burleigh. It was from another attempt, of Norfolk's, that they first obtained a hint, which, being diligently traced, led at last to a full discovery. Mary had intended to send a sum of money to lord Herreis, and her partisans in Scotland; and Norfolk undertook to have it delivered to Bannister, a servant of his, at that time in the North, who was to find some expedient for conveying it to lord Herreis.⁹⁸ He intrusted the money to a servant who was not in the secret, and told him that the bag contained a sum of money in silver,

which he was to deliver to Bannister with a letter: but the servant conjecturing, from the weight and size of the bag, that it was full of gold, carried the letter to Burleigh; who immediately ordered Bannister, Barker, and Hicford, the duke's secretary, to be put under arrest, and to undergo a severe examination. Torture made them confess the whole truth; and as Hicford, though ordered to burn all papers, had carefully kept them concealed under the mats of the duke's chamber, and under the tiles of the house, full evidence now appeared against his master.⁹⁹ Norfolk himself, who was entirely ignorant of the discoveries made by his servants, was brought before the council; and though exhorted to atone for his guilt by a full confession, he persisted in denying every crime, with which he was charged. The queen always declared, that if he had given her this proof of his sincere repentance, she would have pardoned all his former offences;¹⁰⁰ but finding him obstinate, she committed him to the Tower, and ordered him to be brought to his trial. The bishop of Ross had, on some suspicion, been committed to custody before the discovery of Norfolk's guilt; and every expedient was employed to make him reveal his share in the conspiracy. He at first insisted on his privilege; but he was told, that as his mistress was no longer a sovereign, he would not be regarded as an ambassador, and that, even if that character were allowed, it did not warrant him in conspiring against the sovereign at whose court he resided.¹⁰¹ As he still refused to answer interrogatories, he was informed of the confession made by Norfolk's servants, after which he no longer scrupled to make a full discovery: and his evidence put the guilt of that nobleman beyond all question. A jury of twenty-five peers unanimously passed sentence upon him. The trial was quite regular, even according to the strict rules observed at present in these matters; except that the witnesses gave not their evidence in court, and were not confronted with the prisoner: a laudable practice, which was not at that time observed in trials for high treason.

HIS EXECUTION.

THE queen still hesitated concerning Norfolk's execution, whether that she was really moved by friendship and compassion towards a peer of that rank and merit, or that, affecting the praise of clemency, she only put on the appearance of these sentiments. Twice she signed a warrant for his execution, and twice revoked the fatal sentence;¹⁰² and though her ministers and counsellors pushed her to rigour, she still appeared irresolute and undetermined. After four months hesitation, a parliament was assembled (8th May), and the

commons addressed her, in strong terms, for the execution of the duke; a sanction which, when added to the greatness and certainty of his guilt, would, she thought, justify, in the eyes of all mankind, her severity against that nobleman. Norfolk died with calmness and constancy (2d June); and though he cleared himself of any disloyal intentions against the queen's authority, he acknowledged the justice of the sentence by which he suffered.¹⁰¹ That we may relate together affairs of a similar nature, we shall mention, that the earl of Northumberland, being delivered up to the queen by the regent of Scotland, was also, a few months after, brought to the scaffold for his rebellion.

The queen of Scots was either the occasion or the cause of all these disturbances; but as she was a sovereign princess, and might reasonably, from the harsh treatment which she had met with, think herself entitled to use any expedient for her relief, Elizabeth durst not, as yet, form any resolution of proceeding to extremities against her. She only sent lord Delawar, sir Ralph Sadler, sir Thomas Bromley, and Dr. Wilson, to expostulate with her, and to demand satisfaction for all those parts of her conduct which, from the beginning of her life, had given displeasure to Elizabeth: her assuming the arms of England, refusing to ratify the treaty of Edinburgh, intending to marry Norfolk without the queen's consent, concurring in the northern rebellion,¹⁰⁴ practising with Rodolph to engage the king of Spain in an invasion of England,¹⁰⁵ procuring the pope's bull of excommunication, and allowing her friends abroad to give her the title of queen of England. Mary justified herself from the several articles of the charge, either by denying the facts imputed to her, or by throwing the blame on others.¹⁰⁶ But the queen was little satisfied with her apology, and the parliament was so enraged against her, that the commons made a direct application for her immediate trial and execution. They employed some topics derived from practice and reason, and the laws of nations; but the chief stress was laid on passages and examples from the Old Testament,¹⁰⁷ which, if considered as a general rule of conduct (an intention which it is unreasonable to suppose), would lead to consequences destructive of all principles of humanity and morality. Matters were here carried farther than Elizabeth intended; and that princess, satisfied with showing Mary the disposition of the nation, sent to the house her express commands not to deal any farther at present in the affair of the Scottish queen.¹⁰⁸ Nothing could be a stronger proof, that the puritanical interest prevailed in the house, than the intemperate use of authorities derived from scripture, especially from the Old Testament; and the queen was so little a

lover of that sect, that she was not likely to make any concession merely in deference to their solicitation. She showed, this session, her disapprobation of their schemes in another remarkable instance. The commons had passed two bills for regulating ecclesiastical ceremonies; but she sent them a like imperious message with her former ones; and by the terror of her prerogative, she stopped all farther proceeding in those matters.¹⁰⁹

SCOTCH AFFAIRS.

BUT though Elizabeth would not carry matters to such extremities against Mary, as were recommended by the parliament, she was alarmed at the great interest and the restless spirit of that princess, as well as her close connexions with Spain; and she thought it necessary both to increase the rigour and strictness of her confinement, and to follow maxims different from those which she had hitherto pursued in her management of Scotland.¹¹⁰ That kingdom remained still in a state of anarchy. The castle of Edinburgh, commanded by Kirkaldy of Grange, had declared for Mary; and the lords of that party, encouraged by his countenance, had taken possession of the capital, and carried on a vigorous war against the regent. By a sudden and unexpected inroad, they seized that nobleman at Stirling; but finding that his friends, rallying from the castle, were likely to rescue him, they instantly put him to death. The earl of Murre was chosen regent in his room; and found the same difficulties in the government of that divided country. He was therefore glad to accept of the mediation offered by the French and English ambassadors; and to conclude on equal terms a truce with the queen's party.¹¹¹ He was a man of a free and generous spirit, and scorned to submit to any dependence on England; and for this reason, Elizabeth, who had then formed intimate connexions with France, yielded with less reluctance to the solicitations of that court, still maintained the appearance of neutrality between the parties, and allowed matters to remain on a balance in Scotland.¹¹² But affairs soon after took a new turn: Marre died of melancholy, with which the distracted state of the country affected him: Morton was chosen regent; and as this nobleman had secretly taken all his measures with Elizabeth, who no longer relied on the friendship of the French court, she resolved to exert herself more effectually for the support of the party which she had always favoured. She sent sir Henry Killgreff ambassador to Scotland, who found Mary's partisans so discouraged by the discovery and punishment of Norfolk's conspiracy, that they were glad to submit to the king's authority, and accept of an indemnity from all past offences.¹¹³ The duke of Chatelrault

and the earl of Huntley, with the most considerable of Mary's friends, laid down their arms on these conditions. The garrison alone of the castle of Edinburgh continued refractory. Kirkcaldy's fortunes were desperate; and he flattered himself with the hopes of receiving assistance from the kings of France and Spain, who encouraged his obstinacy, in the view of being able, from that quarter, to give disturbance to England. Elizabeth was alarmed with the danger; she no more apprehended making an entire breach with the queen of Scots, who she found, would not any longer be amused by her artifices; she had an implicit reliance on Morton; and she saw that by the submission of all the considerable nobility, the pacification of Scotland would be an easy, as well as a most important undertaking. She ordered, therefore, sir William Drury, governor of Berwick, to march with some troops and artillery to Edinburgh, and to besiege the castle.¹¹⁴ The garrison surrendered at discretion: Kirkcaldy was delivered into the hands of his countrymen, by whom he was tried, condemned, and executed: secretary Lidington, who had taken part with him, died soon after a voluntary death, as is supposed; and Scotland, submitting entirely to the regent, gave not, during a long time, any further inquietude to Elizabeth.

FRENCH AFFAIRS.

THE events which happened in France were not so agreeable to the queen's interests and inclinations. The fallacious pacifications, which had been so often made with the hugonots, gave them reason to suspect the present intentions of the court; and, after all the other leaders of that party were deceived into a dangerous credulity, the sagacious admiral still remained doubtful and uncertain. But his suspicions were at last overcome, partly by the profound dissimulation of Charles, partly by his own earnest desire to end the miseries of France, and return again to the performance of his duty towards his prince and country. He considered besides, that as the former violent conduct of the court had ever met with such fatal success, it was not unlikely, that a prince, who had newly come to years of discretion, and appeared not to be rivetted in any dangerous animosities or prejudices, would be induced to govern himself by more moderate maxims. And as Charles was young, was of a passionate, hasty temper, and addicted to pleasure,¹¹⁵ such deep perfidy seemed either remote from his character, or difficult, and almost impossible, to be so uniformly supported by him. Moved by these considerations, the admiral, the queen of Navarre, and all the hugonots, began to repose themselves in full security, and gave credit to the treacherous

caresses and professions of the French court. Elizabeth herself, notwithstanding her great experience and penetration, entertained not the least distrust of Charles's sincerity; and being pleased to find her enemies of the house of Guise removed from all authority, and to observe an animosity every day growing between the French and Spanish monarchs, she concluded a defensive league with the former (11th April), and regarded this alliance as an invincible barrier to her throne. Walsingham, her ambassador, sent her over, by every courier, the most satisfactory accounts of the honour, and plain-dealing, and fidelity of that perfidious prince.

MASSACRE OF PARIS.

THE better to blind the jealous hugonots, and draw their leaders into the snare prepared for them, Charles offered his sister, Margaret, in marriage to the prince of Navarre; and the admiral, with all the considerable nobility of the party, had come to Paris, in order to assist at the celebration of these nuptials, which, it was hoped, would finally, if not compose the differences, at least appease the bloody animosity of the two religions. The queen of Navarre was poisoned by orders from the court; the admiral was dangerously wounded by an assassin: yet Charles, redoubling his dissimulation, was still able to retain the hugonots in their security; till, on the evening of St. Bartholomew (24th August), a few days after the marriage, the signal was given for a general massacre of those religionists, and the king himself, in person, led the way to these assassinations. The hatred long entertained by the Parisians against the protestants, made them second, without any preparation, the fury of the court; and persons of every condition, age, and sex, suspected of any propensity to that religion, were involved in an undistinguished ruin. The admiral, his son-in-law, Teligni, Soubize, Rochefoucault, Pardaillon, Piles, Lavardin, men who, during the late wars, had signalized themselves by the most heroic actions, were miserably butchered, without resistance; the streets of Paris flowed with blood; and the people, more enraged than satiated with their cruelty, as if repining that death had saved the victims from farther insult, exercised on their dead bodies all the rage of the most licentious brutality. About five hundred gentlemen and men of rank perished in this massacre, and near ten thousand of inferior condition.¹¹⁷ Orders were instantly dispatched to all the provinces for a like general execution of the protestants; and in Rouen, Lyons, and many other cities, the people emulated the fury of the capital. Even the murder of the king of Navarre, and the prince of Condé, had been proposed by the duke of Guise, but

Charles, softened by the amiable manners of the king of Navarre, and hoping that these young princes might easily be converted to the catholic faith, determined to spare their lives, though he obliged them to purchase their safety by a seeming change of their religion.

Charles, in order to cover this barbarous perfidy, pretended that a conspiracy of the hugonots to seize his person had been suddenly detected; and that he had been necessitated, for his own defence, to proceed to this severity against them. He sent orders to Fenelon, his ambassador in England, to ask an audience, and to give Elizabeth this account of the late transaction. That minister, a man of probity, abhorred the treachery and cruelty of his court; and even scrupled not to declare, that he was now ashamed to bear the name of Frenchman;¹¹⁸ yet he was obliged to obey his orders, and make use of the apology which had been prescribed to him. He met with that reception from all the courtiers, which, he knew, the conduct of his master had so well merited. Nothing could be more awful and affecting than the solemnity of his audience. A melancholy sorrow sat on every face: silence, as in the dead of night, reigned through all the chambers of the royal apartment; the courtiers and ladies, clad in deep mourning, were ranged on each side, and allowed him to pass, without affording him one salute or favourable look; till he was admitted to the queen herself.¹¹⁹ That princess received him with a more easy, if not a more gracious countenance; and heard his apology, without discovering any visible symptoms of indignation. She then told him, that though, on the first rumour of this dreadful intelligence, she had been astonished that so many brave men and loyal subjects, who rested secure on the faith of their sovereign, should have been suddenly butchered in so barbarous a manner, she had hitherto suspended her judgment, till farther and more certain information should be brought her: that the account which he had given, even if founded on no mistake or bad information, though it might alleviate, would by no means remove the blame of the king's counsellors, or justify the strange irregularity of their proceedings: that the same force which, without resistance, had massacred so many defenceless men, could easily have secured their persons, and have reserved them for a trial, and for punishment, by a legal sentence, which would have distinguished the innocent from the guilty; that the admiral, in particular, being dangerously wounded, and environed by the guards of the king, on whose protection he seemed entirely to rely, had no means of escape, and might surely, before his death, have been convicted of the crimes imputed to him: that it was more worthy of a sovereign to refer in his own hands the sword of justice,

than to commit it to bloody murderers, who, being the declared and mortal enemies of the person accused, employed it without mercy and without distinction: that if these sentiments were just, even supposing the conspiracy of the protestants to be real, how much more so, if that crime was a calumny of their enemies, invented for their destruction? That if, upon enquiry, the innocence of these unhappy victims should afterwards appear, it was the king's duty to turn his vengeance on their defamers, who had thus cruelly abused his confidence, had murdered so many of his brave subjects, and had done what in them lay to cover him with everlasting dishonour: and that for her part, she should form her judgment of his intentions by his subsequent conduct; and in the mean time should act as desired by the ambassador, and rather pity than blame his master for the extremities to which he had been carried.¹²⁰

Elizabeth was fully sensible of the dangerous situation in which she now stood. In the massacre of Paris, she saw the result of that general conspiracy, formed for the extermination of the protestants; and she knew that she herself, as the head and protectress of the new religion, was exposed to the utmost fury and resentment of the catholics. The violence and cruelty of the Spaniards in the Low Countries was another branch of the same conspiracy; and as Charles and Philip, two princes nearly allied in perfidy and barbarity as well as in bigotry, had now laid aside their pretended quarrel, and had avowed the most entire friendship,¹²¹ she had reason, as soon as they had appeased their domestic commotions, to dread the effects of their united counsels. The duke of Guise also and his family, whom Charles, in order to deceive the admiral, had hitherto kept at a distance, had now acquired an open and entire ascendancy in the court of France; and she was sensible that these princes, from personal as well as political reasons, were her declared and implacable enemies. The queen of Scots, their near relation and close confederate, was the pretender to her throne; and, though detained in custody, was actuated by a restless spirit, and, besides her foreign allies, possessed numerous and zealous partisans in the heart of the kingdom. For these reasons, Elizabeth thought it more prudent not to reject all commerce with the French monarch, but still to listen to the professions of friendship which he made her. She allowed even the negotiations to be renewed for her marriage with the duke of Alençon, Charles's third brother:¹²² those with the duke of Anjou had already been broken off. She sent the earl of Worcester to assist in her name at the baptism of a young princess, born to Charles; but before she agreed to give him this last mark of condescension, she

thought it becoming her dignity, to renew her expressions of blame, and even of detestation, against the cruelties exercised on his protestant subjects.¹²³ Meanwhile, she prepared herself for that attack which seemed to threaten her from the combined power and violence of the Romanists: she fortified Portsmouth, put her fleet in order, exercised her militia, cultivated popularity with her subjects, acted with vigour for the farther reduction of Scotland under obedience to the young king, and renewed her alliance with the German princes, who were no less alarmed than herself at these treacherous and sanguinary measures, so universally embraced by the catholics.

FRENCH AFFAIRS. 1573.

But though Elizabeth cautiously avoided coming to extremities with Charles, the greatest security that she possessed against his violence was derived from the difficulties which the obstinate resistance of the hugonots still created to him. Such of that sect as lived near the frontiers, immediately, on the first news of the massacres, fled into England, Germany, or Switzerland; where they excited the compassion and indignation of the protestants, and prepared themselves, with increased forces and redoubled zeal, to return into France, and avenge the treacherous slaughter of their brethren. Those who lived in the middle of the kingdom, took shelter in the nearest garrisons occupied by the hugonots; and finding that they could repose no faith in capitulations, and expect no clemency, were determined to defend themselves to the last extremity. The sect, which Charles had hoped at one blow to exterminate, had now an army of eighteen thousand men on foot, and possessed, in different parts of the kingdom, above a hundred cities, castles, or fortresses;¹²⁴ nor could that prince deem himself secure from the invasion threatened him by all the other protestants in Europe. The nobility and gentry of England were roused to such a pitch of resentment, that they offered to levy an army of twenty thousand foot and four thousand horse, to transport them into France, and to maintain them six months at their own charge: but Elizabeth, who was cautious in her measures, and who feared to inflame farther the quarrel between the two religions by these dangerous crusades, refused her consent, and moderated the zeal of her subjects.¹²⁵ The German princes, less political or more sincere from the resentment of France, forwarded the levies made by the protestants; and the young prince of Condé, having escaped from court, put himself at the head of these troops, and prepared to invade the kingdom. The duke of Alençon, the king of Navarre,

the family of Montmorency, and many considerable men even among the catholics, displeased, either on a private or public account, with the measures of the court, favoured the progress of the hugonots; and every thing relapsed into confusion....1574. The king, instead of repenting his violent counsels, which had brought matters to such extremities, called aloud for new violences;¹²⁶ nor could even the mortal distemper under which he laboured, moderate the rage and animosity by which he was actuated. He died (30th May) without male issue, at the age of twenty-five years; a prince, whose character, containing that unusual mixture of dissimulation and ferocity of quick resentment and unrelenting vengeance, executed the greatest mischiefs, and threatened still worse, both to his native country and to all Europe.

Henry, duke of Anjou, who had, some time before, been elected king of Poland, no sooner heard of his brother's death, than he hastened to take possession of the throne of France; and found the kingdom not only involved in the greatest present disorders, but exposed to infirmities, for which it was extremely difficult to provide any suitable remedy....1575. The people were divided into two theological factions, furious from their zeal, and mutually enraged from the injuries which they had committed or suffered; and as all faith had been violated and moderation banished, it seemed impracticable to find any terms of composition between them. Each party had devoted itself to leaders, whose commands had more authority than the will of the sovereign; and even the catholics, to whom the king was attached, were entirely conducted by the counsels of Guise and his family. The religious connexions had, on both sides, superseded the civil; or rather (for men will always be guided by present interest), two empires being secretly formed in the kingdom, every individual was engaged by new views of interest to follow those leaders, to whom, during the course of past convulsions, he had been indebted for his honours and preferment.

Henry, observing the low condition of the crown, had laid a scheme for restoring his own authority, by acting as umpire between the parties, by moderating their differences, and by reducing both to a dependence upon himself. He possessed all the talents of dissimulation requisite for the execution of this delicate plan; but being deficient in vigour, application, and sound judgment, instead of acquiring a superiority over both factions, he lost the confidence of both, and taught the partisans of each to adhere still more closely to their particular leaders, whom they found more cordial and sincere in the cause which they espoused. The hugonots were strengthened by the accession of a German army under the prince of Condé and

prince Casimir; but much more by the credit and personal virtues of the king of Navarre, who, having fled from court, had placed himself at the head of that formidable party. Henry, in prosecution of his plan, entered into a composition with them; and being desirous of preserving a balance between the sects, he granted them peace on the most advantageous conditions. This was the fifth general peace made with the hugonots; but though it was no more sincere on the part of the court than any of the former, it gave the highest disgust to the catholics; and afforded the duke of Guise the desired pretence of declaiming against the measures, and maxims, and conduct of the king.

That artful and bold leader took thence an occasion of reducing his party into a more formed and regular body; and he laid the first foundations of the famous LEAGUE, which, without paying any regard to the royal authority, aimed at the entire suppression of the hugonots. Such was the unhappy condition of France, from the past severities and violent conduct of its princes, that toleration could no longer be admitted; and a concession for liberty of conscience, which would probably have appeased the reformers, excited the greatest resentment in the catholics.....1577. Henry, in order to divert the force of the league from himself, and even to elude its efforts against the hugonots, declared himself the head of that seditious confederacy, and took the field as leader of the Romanists. But his dilatory and feeble measures betrayed his reluctance to the undertaking; and after some unsuccessful attempts, he concluded a new peace, which, though less favourable than the former to the protestants, gave no contentment to the catholics. Mutual diffidence still prevailed between the parties; the king's moderation was suspicious to both; each faction continued to fortify itself against that breach, which, they foresaw, must speedily ensue; theological controversy daily whetted the animosity of the sects; and every private injury became the ground of a public quarrel.⁴

The king, hoping, by his artifice and subtlety, to allure the nation into a love of pleasure and repose, was himself caught in the snare; and, sinking into a dissolute indolence, wholly lost the esteem, and, in a great measure, the affections of his people. Instead of advancing such men of character and abilities as were neutrals between these dangerous factions, he gave all his confidence to young agreeable favourites, who, unable to prop his falling authority, leaned entirely upon it, and inflamed the general odium against his administration. The public burdens, increased by his profuse liberality, and felt more heavy on a disordered kingdom, became another ground of complaint; and the uncontrolled animosity of parties, joined to the multiplicity of taxes, rendered

peace ^{note} calamitous than any open state of foreign, or even domestic hostility.....1579. The artifices of the king were too refined to succeed, and too frequent to be concealed; and the plain, direct, and avowed conduct of the duke of Guise on one side, and that of the king of Navarre on the other, drew by degrees the generality of the nation to devote themselves without reserve to one or the other of those great leaders.

The civil commotions of France were of too general importance to be overlooked by the other princes of Europe; and Elizabeth's foresight and vigilance, though somewhat restrained by her frugality, led her to take secretly some part in them. Besides employing on all occasions her good offices in favour of the hugonots, she had expended no inconsiderable sums in levying that army of Germans which the prince of Condé and prince Casimir conducted into France;¹²⁷ and notwithstanding her negotiations with the court, and her professions of amity, she always considered her own interests as connected with the prosperity of the French protestants and the depression of the house of Guise. Philip, on the other hand, had declared himself protector of the league; had entered into the closest correspondence with Guise; and had employed all his authority in supporting the credit of that factious leader. The sympathy of religion, which of itself begat a connection of interest, was one considerable inducement; but that monarch had also in view, the subduing of his rebellious subjects in the Netherlands; who, as they received great encouragement from the French protestants, would, he hoped, finally despair of success, after the entire suppression of their friends and confederates.

CIVIL WARS OF THE LOW COUNTRIES.

THE same political views which engaged Elizabeth to support the hugonots, would have led her to assist the distressed protestants in the Low Countries; but the mighty power of Philip, the tranquillity of all his other dominions, and the great force which he maintained in these mutinous provinces, kept her in awe, and obliged her, notwithstanding all temptations and all provocations, to preserve some terms of amity with that monarch. The Spanish ambassador represented to her, that many of the Flemish exiles, who infested the seas and preyed on his master's subjects, were received into the harbours of England, and were there allowed to dispose of their prizes; and by these remonstrances the queen found herself under a necessity of denying them all entrance into her dominions. But this measure proved in the issue extremely prejudicial to the interests of Philip. These desperate exiles, finding no longer any possibility of subsistence,

were forced to attempt the most perilous enterprises; and they made an assault on the Brille, a sea port town in Holland, where they met with success, and, after a short resistance, came masters of the place. The duke of Alva was alarmed at the danger; and, stopping those bloody executions which he was making on the defenceless Flemings, he hastened with his army to extinguish the flame, which, falling on materials so well prepared for combustion, seemed to menace a general conflagration. His fears soon appeared to be well-grounded. The people in the neighbourhood of the Brille, enraged by that complication of cruelty, oppression, insolence, usurpation, and persecution, under which they and all their countrymen laboured, flew to arms; and in a few days almost the whole province of Holland and that of Zealand had revolted from the Spaniards, and had openly declared against the tyranny of Alva. This event happened in the year 1572.

William, prince of Orange, descended from a sovereign family of great lustre and antiquity in Germany, inheriting the possessions of a sovereign family in France, had fixed his residence in the Low Countries; and on account of his noble birth and immense riches, as well as of his personal merit, was universally regarded as the greatest subject that lived in those provinces. He had opposed, by all regular and dutiful means, the progress of the Spanish usurpations; and when Alva conducted his army into the Netherlands, and assumed the government, this prince, well acquainted with the violent character of the man, and the tyrannical spirit of the court of Madrid, wisely fled from the danger which threatened him, and retired to his paternal estate and dominions in Germany. He was cited to appear before Alva's tribunal, was condemned in absence, was declared a rebel, and his ample possessions in the Low Countries were confiscated. In revenge he had levied an army of protestants in the empire, and had made some attempts to restore the Flemings to liberty; but was still repulsed with loss by the vigilance and military conduct of Alva, and by the great bravery, as well as discipline, of those veteran Spaniards who served under that general.

The revolt of Holland and Zealand, provinces which the prince of Orange had formerly commanded, and where he was much beloved, called him anew from his retreat; and he added conduct, no less than spirit, to that obstinate resistance which was here made to the Spanish dominion. By uniting the revolted cities in a league, he laid the foundation of that illustrious commonwealth, the offspring of industry and liberty, whose arms and policy have long made so signal a figure in every transaction of Europe. He inflamed the inhabitants by every motive which religious zeal, resent-

ment, or love of freedom could inspire. Though the present greatness of the Spanish monarchy might deprive them of all courage, he still flattered them with the concurrence of the other provinces, and with assistance from neighbouring states; and he exhorted them, in defence of their religion, their liberties, their lives, to endure the utmost extremities of war. From this spirit proceeded the desperate defence of Harlem; a defence which nothing but the most consuming famine could overcome, and which the Spaniards overcame by the execution of more than two thousand of the inhabitants.¹²⁹ This extreme severity, instead of striking terror into the Hollanders, animated them by despair; and the vigorous resistance made at Alenraer, where Alva was finally repulsed, showed them that their insolent enemies were not invincible. The duke, finding at last, the pernicious effects of his violent counsels, solicited to be recalled: Melinaeli, who was appointed his successor, refused to accept the government: Requesens, commendador of Castile, was sent from Italy to replace Alva; and this tyrant departed from the Netherlands in 1574; leaving his name in execration to the inhabitants, and boasting, in his turn, that, during the course of five years, he had delivered above eighteen thousand of those rebellious heretics into the hands of the executioner.¹³⁰

Requesens, though a man of milder dispositions, could not appease the violent hatred which the revolted Hollanders had conceived against the Spanish government; and the war continued as obstinate. In the siege of Leyden, undertaken by the Spaniards, the Dutch opened the dykes and sluices, in order to drive them from the enterprise; and the very peasants were active in ruining their fields by an inundation, rather than fall again under the hated tyranny of Spain. But notwithstanding this repulse, the governor still pursued the war; and the contest seemed too unequal between so mighty a monarchy and two small provinces, however fortified by nature, and however defended by the desperate resolution of the inhabitants. The prince of Orange, therefore, in 1575, was resolved to sue for foreign succour, and to make applications to one or other of his great neighbours, Henry or Elizabeth. The court of France was not exempt from the same spirit of tyranny and persecution which prevailed among the Spaniards; and that kingdom, torn by domestic dissensions, seemed not to enjoy, at present, either leisure or ability to pay regard to foreign interests. But England, long connected, both by commerce and alliance, with the Netherlands, and now more concerned in the fate of the revolted provinces by sympathy in religion, seemed naturally interested in their defence; and as Elizabeth had justly entertained great

jealousy of Philip, and governed her kingdom in perfect tranquillity, hopes were entertained, that her policy, her ambition, or her generosity, would engage her to support them under their present calamities. They sent therefore a solemn embassy to London, consisting of St. Aldegonde, Douza, Nivelle, Buys, and Melsen; and after employing the most humble supplications to the queen, they offered her the possession and sovereignty of their provinces, if she would exert her power in their defence.

There were many strong motives which might impel Elizabeth to accept of so liberal an offer. She was apprized of the injuries which Philip had done her, by his intrigues with the malcontents in England and Ireland;¹³¹ she foresaw the danger which she must incur from a total prevalence of the catholics in the Low Countries: and the maritime situation of those provinces, as well as their command over the great rivers, was an inviting circumstance to a nation like the English, who were beginning to cultivate commerce and naval power. But this princess, though magnanimous, had never entertained the ambition of making conquests, or gaining new acquisitions; and the whole purpose of her vigilant and active politics was to maintain, by the most frugal and cautious expedients, the tranquillity of her own dominions. An open war with the Spanish monarchy was the apparent consequence of her accepting the dominion of these provinces; and after taking the inhabitants under her protection, she could never afterwards in honour abandon them, but, however desperate their defence might become, she must embrace it, even farther than her convenience or interests would permit. For these reasons, she refused, in positive terms, the sovereignty proffered her; but told the ambassadors, that, in return for the goodwill which the prince of Orange and the States had shown her, she would endeavour to mediate an agreement for them, on the most reasonable terms that could be obtained.¹³² She sent accordingly sir Henry Cobham to Philip; and represented to him the danger which he would incur of losing entirely the Low Countries, if France could obtain the least interval from her intestine disorders, and find leisure to offer her protection to those mutinous and discontented provinces. Philip seemed to take this remonstrance in good part; but no accord ensued, and war in the Netherlands continued with the same rage and violence as before.

It was an accident that delivered the Hollanders from their present desperate situation. Requesens, the governor, dying suddenly, the Spanish troops, discontented for want of pay, and licentious for want of a proper authority to command them, broke

into a furious mutiny, and threw every thing into confusion. They sacked and pillaged the cities of Maestricht and Antwerp, and executed great slaughter on the inhabitants: they threatened the other cities with a like fate: and all the provinces, excepting Luxembourg, united for mutual defence against their violence, and called in the prince of Orange, and the Hollanders, as their protectors. A treaty, commonly called the Pacification of Ghent, was formed by common agreement; and the removal of foreign troops, with the restoration of their ancient liberties, was the object which the provinces mutually stipulated to pursue. Don John of Austria, natural brother to Philip, being appointed governor, found, on his arrival at Luxembourg, that the States had so fortified themselves, and that the Spanish troops were so divided by their situation, that there was no possibility of resistance; and he agreed to the terms required of him. The Spaniards evacuated the country; and these provinces seemed at last to breathe a little from their calamities.

But it was not easy to settle an entire peace, while the thirst of revenge and dominion governed the king of Spain, and while the Flemings were so strongly agitated with resentment of past, and fear of future, injuries. The ambition of Don John, who coveted this great theatre for his military talents, engaged him rather to inflame than appease the quarrel; and as he found the States determined to impose very strict limitations on his authority, he broke all articles, seized Namur, and procured the recall of the Spanish army from Italy. This prince, endowed with a lofty genius, and elated by the prosperous successes of his youth, had opened his mind to vast undertakings; and looking much beyond the conquest of the revolted provinces, had projected to espouse the queen of Scots, and to acquire in her right the dominion of the British kingdoms.¹³³ Elizabeth was aware of his intentions; and seeing now, from the union of all the provinces, a fair prospect of their making a long and vigorous defence against Spain, she no longer scrupled to embrace the protection of their liberties, which seemed so intimately connected with her own safety. After sending them a sum of money, about twenty thousand pounds, for the immediate pay of their troops, she concluded a treaty with them, in which she stipulated to assist them with five thousand foot, and a thousand horse, at the charge of the Flemings; and to lend them a hundred thousand pounds, on receiving the bonds of some of the most considerable towns of the Netherlands, for her repayment within the year. It was farther agreed, that the commander of the English army should be admitted into the council of the States; and nothing be deter-

med concerning war or peace, without previously informing the queen or him of it; that they should enter into no league without her consent; that if any discord arose among themselves, it should be referred to her arbitration; and that if any prince, on any pretext, should attempt hostilities against her, they should send to her assistance an army equal to that which she had employed in their defence. This alliance was signed on the 7th of January 1578.¹³⁴

One considerable inducement to the queen for entering into treaty with the States was, to prevent their throwing themselves into the arms of France; and she was desirous to make the king of Spain believe that it was her sole motive. She represented to him, by her ambassador, Thomas Wilkes, that hitherto she had religiously acted the part of a good neighbour and ally; had refused the sovereignty of Holland and Zealand when offered her; had advised the prince of Orange to submit to the king; and had even accompanied her counsel with menaces, in case of his refusal. She persevered, she said, in the same friendly intentions, and as a proof of it, would venture to interpose with her advice for the composure of the present differences: Let Don John, whom

he could not but regard as her mortal enemy, or recalled; let some other prince more popular be substituted in his room; let the Spanish armies be withdrawn; let the Flemings be restored to their ancient liberties and privileges: and if, after these concessions, they were still obstinate not to return to their duty, she promised to join her arms with those of the king of Spain, and force them to compliance. Philip dissembled his resentment against the queen; and still continued to supply Don John with money and troops. That prince—though once repulsed at Rimenant by the valour of the English under Norris, and though opposed, as well by the army of the States as by prince Casimir, who had conducted to the Low Countries a great body of Germans, paid by the queen—gained a great advantage over the Flemings at Gemblours; but was cut off in the midst of his prosperity by poison, given him secretly, as was suspected, by orders from Philip, who dreaded his ambition. The prince of Parma succeeded to the command; who, uniting valour and clemency, negotiation and military exploits, made great progress against the revolted Flemings, and advanced the progress of the Spaniards by his arts, as well as by his arms.

During these years, while Europe was almost every where in great commotion, England enjoyed a profound tranquillity; owing chiefly to the prudence and vigour of the queen's administration, and to the wise precautions which she employed in all her measures. By supporting the zealous protestants in Scotland,

she had twice given them the superiority over their antagonists, had closely connected their interests with her own, and had procured herself entire security from that quarter whence the most dangerous invasions could be made upon her. She saw in France, her enemies, the Guises, though extremely powerful, yet counterbalanced by the hugonots, her zealous partisans; and even hated by the king, who was jealous of their restless and exorbitant ambition. The bigotry of Philip gave her just ground of anxiety; but the same bigotry had happily excited the most obstinate opposition among his own subjects, and had created him enemies, whom his arms and policy were not likely soon to subdue. The queen of Scots, her antagonist and rival, and the pretender to her throne, was a prisoner in her hands; and by her impatience and high spirit had been engaged in practices, which afforded the queen a pretence for rendering her confinement more rigorous, and for cutting off her communication with her partisans in England.

Religion was the capital point, on which depended all the political transactions of that age; and the queen's conduct in this particular, making allowance for the prevailing prejudices of the times, could scarcely be accused of severity or imprudence. She established no inquisition into men's bosoms: she imposed no oath of supremacy, except on those who received trust or emolument from the public: and though the exercise of every religion but the established was prohibited by statute, the violation of this law, by saying mass, and receiving the sacrament in private houses, was, in many instances, connived at;¹³⁵ while, on the other hand, the catholics, in the beginning of her reign, showed little reluctance against going to church, or frequenting the ordinary duties of public worship. The pope, sensible that this practice would by degrees reconcile all his partisans to the reformed religion, hastened the publication of the bull, which excommunicated the queen, and freed her subjects from their oaths of allegiance; and great pains were taken by the emissaries of Rome, to render the breach between the two religions as wide as possible, and to make the frequenting of protestant churches appear highly criminal in the catholics.¹³⁶ These practices, with the rebellion which ensued, increased the vigilance and severity of the government; but the Romanists, if their condition were compared with that of the non-conformists in other countries, and with their own maxims where they domineered, could not justly complain of violence or persecution.

The queen appeared rather more anxious to keep a strict hand over the puritans; who, though their pretensions were not so immediately dangerous to her authority, seemed to be actuated by a more unreasonable obstinacy.

and to retain claims, of which, both in civil and ecclesiastical matters, it was, as yet, difficult to discern the full scope and intention. Some secret attempts of that sect to establish a separate congregation and discipline had been carefully repressed in the beginning of this reign;¹³⁷ and when any of the established clergy discovered a tendency to their principles, by omitting the legal habits or ceremonies, the queen had shown a determined resolution to punish them by fines and deprivation;¹³⁸ though her orders to that purpose had been frequently eluded, by the secret protection which these sectaries received from some of her most considerable courtiers.

But what chiefly tended to gain Elizabeth the hearts of her subjects, was, her frugality, which, though carried sometimes to an extreme, led her not to amass treasures, but only to prevent impositions upon her people, who were at that time very little accustomed to bear the burdens of government. By means of her rigid economy, she paid all the debts which she found on the crown, with their full interest; though some of these debts had been contracted even during the reign of her father.¹³⁹ Some loans, which she had exacted at the commencement of her reign, were repaid by her; a practice in that age somewhat unusual.¹⁴⁰ and she established her credit on such a footing, that no sovereign in Europe could more readily command any sum, which the public exigencies might at any time require.¹⁴¹ During this peaceable and uniform government, England furnishes few materials for history; and except the small part which Elizabeth took in foreign transactions, there scarcely passed any occurrence which requires a particular detail.

A PARLIAMENT.

THE most memorable event in this period was a session of parliament, held on the 2th of February 1576; where debates were started, which may appear, somewhat curious and singular. Peter Wentworth, a puritan, who had signalized himself in former parliaments by his free and undaunted spirit, opened this session with a premeditated harangue, which drew on him the indignation of the house, and gave great offence to the queen and the ministers. As it seems to contain a rude sketch of those principles of liberty which happily gained afterwards the ascendant in England, it may not be improper to give, in a few words, the substance of it. He premised, that the very name of liberty is sweet; but the thing itself is precious beyond the most inestimable treasure: and that it behoved them to be careful, lest, contenting themselves with the sweetness of the name, they forego the substance, and abandon what of all earthly pos-

sessions was of the highest value to the kingdom. He then proceeded to observe, that freedom of speech in that house, a privilege so useful both to sovereign and subject, had been formerly infringed in many essential articles; and was at present exposed to the most imminent danger: that it was usual, when any subject of importance was handled, especially if it related to religion, that these topics were disagreeable to the queen, and that the farther proceeding in them would draw down her indignation upon their temerity: that Solomon had justly affirmed the king's displeasure to be a messenger of death; and it was no wonder if men, even though urged by motives of conscience and duty, should be inclined to stop short, when they found themselves exposed to so severe a penalty. that, by the employing of this argument, the house was incapacitated from serving their country, and even from serving the queen herself; whose ears, besieged by pernicious flatterers, were thereby rendered inaccessible to the most salutary truths: that it was a mockery to call an assembly a parliament, yet deny it that privilege, which was so essential to its being, and without which it must degenerate into an abject school of servility and dissimulation: that, as the parliament was the great guardian of the laws, they ought to have liberty to discharge their trust, and to maintain that authority whence even kings themselves derive their being: that a king was constituted such by law, and though he was not dependent on man, yet was he subordinate to God and the law, and was obliged to make their prescriptions, not his own will, the rule of his conduct: that even his commission, as God's vicegerent, enforced, instead of loosening, this obligation; since he was thereby invested with authority to execute on earth the will of God, which is nothing but law and justice: that though these surmises of displeasing the queen by their proceedings, had impeached, in a very essential point, all freedom of speech, a privilege granted them by a special law; yet was there a more express and more dangerous invasion made on their liberties, by frequent messages from the throne: that it had become a practice, when the house was entering on any question, either ecclesiastical or civil, to bring an order from the queen, inhibiting them absolutely from treating of such matters, and debarring them from all farther discussion of these momentous articles: that the prelates, emboldened by her royal protection, had assumed a decisive power in all questions of religion, and required that every one should implicitly submit his faith to their arbitrary determinations: that the love which he bore his sovereign, forbade him to be silent under such abuses, or to sacrifice, on this important occasion, his duty

to servile flattery and complaisance: and that as no earthly creature was exempt from fault, so neither was the queen herself; but in imposing this servitude on her faithful commons, had committed a great, and even dangerous, fault against herself and the whole commonwealth.¹⁴²

It is easy to observe, from this speech, that, in this dawn of liberty, the parliamentary stile was still crude and unformed; and that the proper decorum of attacking ministers and counsellors, without interesting the honour of the crown, or mentioning the person of the sovereign, was not yet entirely established. The commons expressed great displeasure at this unusual licence: they sequestered Wentworth from the house, and committed him prisoner to the serjeant at arms. They even ordered him to be examined by a committee, consisting of all those members who were also members of the privy-council; and a report to be next day made to the house. This committee met in the star-chamber, and wearing the aspect of that arbitrary court, summoned Wentworth to appear before them and answer for his behaviour. But though the commons had discovered so little delicacy or precaution, in thus confounding their own authority with that of the star-chamber; Wentworth better understood the principles of liberty, and refused to give these counsellors any account of his conduct in parliament, till he were satisfied that they acted, not as members of the privy-council, but as a committee of the house.¹⁴³ He justified his liberty of speech, by pleading the rigour and hardship of the queen's message; and notwithstanding that the committee showed him, by instances in other reigns, that the practice of sending such messages was not unprecedented, he would not agree to express any sorrow or repentance. The issue of the affair was, that, after a month's confinement, the queen sent to the commons, informing them, that, from her special grace and favour, she had restored him to his liberty, and to his place in the house.¹⁴⁴ By this seeming lenity, she indirectly retained the power which she had assumed, of imprisoning the members, and obliging them to answer before her for their conduct in parliament. And sir Walter Mildmay endeavoured to make the house sensible of her majesty's goodness

in gently remitting the indignation which she might justly conceive at the temerity of their member: but he informed them, that they had not the liberty of speaking what and of whom they pleased; and that indiscreet freedoms used in that house had, both in the present and foregoing ages, met with a proper chastisement. He warned them, therefore, not to abuse farther the queen's clemency; lest she be constrained, contrary to her inclination, to turn an unsuccessful lenity into a necessary severity.¹⁴⁵

The behaviour of the two houses was, in every other respect, equally tame and submissive. Instead of a bill, which was at first introduced,¹⁴⁶ for the reformation of the church, they were contented to present a petition to her majesty for that purpose: and when she told them that she would give orders to her bishops to amend all abuses, and if they were negligent, she would herself, by her supreme power and authority over the church, give such redress as would entirely satisfy the nation, the parliament willingly acquiesced in this sovereign and peremptory decision.¹⁴⁷

Though the commons showed so little spirit in opposing the authority of the crown, they maintained, this session, their dignity against an encroachment of the peers, and would not agree to a conference which, they thought, was demanded of them in an irregular manner. They acknowledged, however, with all humbleness (such is their expression), the superiority of the lords: they only refused to give that house any reason for their proceedings; and asserted, that where they altered a bill sent them by the peers, it belonged to them to desire a conference, not to the upper house to require it.¹⁴⁸

The commons granted an aid of one subsidy and two fifteenths. Mildmay, in order to satisfy the house concerning the reasonableness of this grant, entered into a detail of the queen's past expences in supporting the government, and of the increasing charges of the crown, from the daily increase in the price of all commodities. He did not, however, forget to admonish them, that they were to regard this detail as the pure effect of the queen's condescension, since she was not bound to give them any account how she employed her treasure.¹⁴⁹

NOTES.

- 1 Burnet, vol. ii. p. 152. Heylin, p. 90.
 2 Strype, vol. i. p. 416.
 3 Strype, vol. i. p. 416.
 4 Keith, p. 100. Knox, p. 402.
 5 Heylin, *preface*, p. 4. Hist. p. 106.
 6 When Nowell, one of her chaplains, had pronounced before her, of the sign of the cross, she called aloud from her closet window, commanding him to retire from that ungodly digression, and to return to his text. And on the other side, she had pronounced of the real presence, she called for him to be silent. *History*, p. 124—she would have absolutely forbidden the marriage of the clergy if Cressel had not interposed. *Strype's Life of Parker*, p. 107, 108, and usually said, that she thought two or three prayers were sufficient for a whole country. It was probably for these reasons that one Doring told her to her face from the pulpit, that she was like an untamed heifer, that would not be ruled by God's people, but obstructed his discipline—See *Life of Hooker, prefixed to his Works*.
 7 Strype's *Tale of Whitgift*, p. 460.
 8 Lesley, p. 36, 37.
 9 Lesley, p. 40, 41.
 10 State Trials, p. 76, 78.
 11 Lesley, p. 41.
 12 Lesley, p. 55. Camden, p. 419. Spotswood, p. 230.
 13 Haynes, p. 535.
 14 Camden, p. 417.
 15 Lesley, p. 50. Camden, p. 420.
 16 Haynes, p. 535, 539.
 17 Lesley, p. 62. *g*
 18 Lesley, p. 63. *p*
 19 Camden, p. 420. *nd*,
 20 Lesley, p. 71. It appears by Haynes, p. 521, 522, that Elizabeth had heard rumours of Norfolk's dealing with Murray, and charged the latter to inform her of the whole truth, which he accordingly did. See also the earl of Murray's letter produced on Norfolk's trial.
 21 Lesley, p. 76.
 22 Lesley, p. 98.
 23 Lesley, p. 77.
 24 Camden, p. 420.
 25 Haynes, p. 528.
 26 Haynes, p. 339.
 27 Camden, p. 321. Haynes, p. 540.
 28 Lesley, p. 80.
 29 Haynes, p. 552.
 30 Haynes, p. 595. *Strype*, vol. ii. Appendix, p. 30. MS. in the Advocates' Library, from Cott. Lib. Cal. c. 9.
 31 Cahala, *ol*.
 32 Stowe, p. 683.
 33 Cahala, p. 170. Digges, p. 4.
 34 Camden, p. 423.
 35 Lesley, p. 82.
 36 Lesley, p. 98. Camden, p. 420. Haynes, p. 597.
 37 Lesley, p. 232. Hay
 38 MSS. in the Adv
 39 p. 137. from Cott. Lib. Cal. c. 1.
 40 Spotswood, 230, 231. Lesley, p. 71.
 41 Camden, p. 425. Lesley, p. 83.
 42 *ol*, p. 91.
 43 *od*, p. 240.
 44 Spotswood, p. 241.
 45 Spotswood, p. 241.
 46 Crawford, p. 136.
 47 Spotswood, p. 215. Lesley, 101.
 48 Lesley, p. 109, &c.
 49 Spotswood, p. 247, 248.
 50 Spotswood, p. 248, 249.
 51 Haynes, p. 623.
 52 Spotswood, p. 249, 250, &c.
 53 p. 133. 136. Camden, p. 4.
 54 Camden, p. 427.
 55 *fr*
 56 of Frus V
 57 Camden, p. 428.
 58 D'Ewes, p. 141.
 59 D'Ewes, p. 185.
 60 D'Ewes, p. 106, 157.
 61 D'Ewes, p. 167.
 62 D'Ewes, p. 155.
 63 D'Ewes, p. 166.
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CHAPTER XLI.

Affairs of Scotland.—Spanish Affairs.—Sir Francis Drake.—A Parliament.—Negotiations of Marriage with the Duke of Anjou.—Affairs of Scotland.—Letter from Queen Mary to Elizabeth.—Conspiracies in England.—A Parliament.—The Ecclesiastical Commission.—Affairs of the Low Countries.—Hostilities with Spain.

1580. **T**HE greatest and most absolute security that Elizabeth enjoyed during her whole reign, never exempted her from vigilance and attention; but the scene began now to be more overcast, and dangers gradually multiplied on her from more than one quarter.

AFFAIRS OF SCOTLAND.

THE earl of Morton had hitherto retained Scotland in strict alliance with the queen, and had also restored domestic tranquillity to that kingdom: but it was not to be expected that the factitious and legal authority of a regent would long maintain itself in a country unacquainted with law and order; where even the natural dominion of hereditary princes so often met with opposition and control. The nobility began anew to break into factions: the people were disgusted with some instances of Morton's avarice: and the clergy, who complained of farther encroachments on their narrow revenue, joined and increased the discontent of the other orders. The regent was sensible of his dangerous situation; and having dropped some peevish expressions, as if he were willing or desirous to resign, the noblemen of the opposite party, favourites of the young king, laid hold of this concession, and required that demission which he seemed so frankly to offer them. James was at this time but eleven years of age; yet Morton, having secured himself, as he imagined, by a general pardon, resigned his authority into the hands of the king, who pretended to conduct, in his own name, the administration of the kingdom. The regent retired from the government; and seemed to employ himself entirely in the care of his domestic affairs; but, either tired with this tranquillity, which appeared insipid after the agitations of ambition, or thinking it time to throw off dissimulation, he came again to court; acquired an ascendant in the council; and though he resumed not the title of regent, governed with the same authority as before. The opposite party, after holding separate conventions, took to arms, on pretence of delivering their prince from captivity, and restoring him to the free exercise of his government: queen Elizabeth interposed by her ambassador, sir Robert Bowes, and mediated an agreement

between the factions: Morton kept possession of the government; but his enemies were numerous and vigilant; and his authority seemed to become every day more precarious.

The count d'Aubigny, of the house of Lenox, cousin-german to the king's father, had been born and educated in France; and being a young man of good address and a sweet disposition, he appeared to the duke of Guise a proper instrument for detaching James from the English interest, and connecting him with his mother and her relations. He no sooner appeared at Stirling, where James resided, than he acquired the affections of the young monarch; and joining his interest with those of James Stuart of the house of Ochiltree, a man of profligate manners, who had acquired the king's favour, he employed himself, under the appearance of play and amusement, in instilling into the tender mind of the prince new sentiments of politics and government. He represented to him the injustice which had been done to Mary in her deposition, and made him entertain thoughts either of resigning the crown into her hands, or of associating her with him in the administration.¹ Elizabeth, alarmed at the danger which might ensue from the prevalence of this interest in Scotland, sent anew sir Robert Bowes to Stirling; and accusing d'Aubigny, now created earl of Lenox, of an attachment to the French, warned James against entertaining such suspicious and dangerous connections.² The king excused himself, by sir Alexander Jume, his ambassador; and Lenox, finding that the queen had openly declared against him, was farther confirmed in his intentions of overturning the English interest, and particularly of ruining Morton, who was regarded as the head of it. That nobleman was arrested in council, accused as an accomplice in the late king's murder, committed to prison, brought to trial, and condemned to suffer as a traitor. He confessed that Bothwell had communicated to him the design, had pleaded Mary's consent, and had desired his concurrence; but he denied that he himself had ever expressed any approbation of the crime; and, in excuse for his concealing it, he alleged the danger of revealing the secret, either to Henry, who had no resolution nor constancy, or to Mary, who appeared to

be an accomplice in the murder.³ Sir Thomas Randolph was sent by the queen to intercede in favour of Morton; and that ambassador, not content with discharging this duty of his function, engaged, by his persuasion, the earls of Argyle, Montrose, Angus, Marre, and Glencairn, to enter into a confederacy for protecting, even by force of arms, the life of the prisoner. The more to overawe that nobleman's enemies, Elizabeth ordered forces to be assembled on the borders of England; but this expedient served only to hasten his sentence and execution.⁴ Morton died with that constancy and resolution, which had attended him through all the various events of his life; and left a reputation, which was less disputed with regard to abilities than probity and virtue. But this conclusion of the scene happened not till the subsequent year.

SPANISH AFFAIRS.

ELIZABETH was, during this period, extremely anxious on account of every revolution in Scotland; both because that country alone, not being separated from England by sea, and bordering on all the catholic and malcontent counties, afforded her enemies a safe and easy method of attacking her; and because she was sensible, that Mary, thinking herself abandoned by the French monarch, had been engaged by the Guises to have recourse to the powerful protection of Philip, who, though he had not yet come to an open rupture with the queen, was every day, both by the injuries which he committed and suffered, more exasperated against her. That he might retaliate the assistance which she gave to his rebels in the Low Countries, he had sent, under the name of the pope, a body of seven hundred Spaniards and Italians into Ireland; where the inhabitants, always turbulent, and discontented with the English government, were now more alienated by religious prejudices, and were ready to join every invader. The Spanish general, San Joseph, built a fort in Kerry; and being there besieged by the earl of Ormond, president of Munster, who was soon after joined by lord Gray, the deputy, he made a weak and cowardly defence. After some assaults, feebly sustained, he surrendered at discretion; and Gray, who commanded but a small force, finding himself encumbered with so many prisoners, put all the Spaniards and Italians to the sword without mercy, and hanged about fifteen hundred of the Irish: a cruelty which gave great displeasure to Elizabeth.⁵

SIR FRANCIS DRAKE.

WHEN the English ambassador made complaints of this invasion, he was answered by

like complaints of the piracies committed by Francis Drake, a bold seaman, who had assaulted the Spaniards in the place where they deemed themselves most secure, in the new world. This man, sprung from mean parents in the county of Devon, having acquired considerable riches by depredations made in the isthmus of Panama, and having there gotten a sight of the Pacific Ocean, was stimulated by ambition and avarice, that he scrupled not to employ his whole fortune in a new adventure through those seas, so much unknown at that time to all the European nations.⁷ By means of sir Christopher Hatton, then vice-chamberlain, a great favourite of the queen's, he obtained her consent and approbation; and he set sail from Plymouth in 1577, with four ships and a pinnace, on board of which were one hundred and sixty-four able sailors.⁸ He passed into the South Sea by the Straits of Magellan, and attacking the Spaniards, who expected no enemy in those quarters, he took many rich prizes, and prepared to return with the booty which he had acquired. Apprehensive of being intercepted by the enemy, if he took the same way homewards, by which he had reached the Pacific Ocean, he attempted to find a passage by the north of California; and failing in that enterprise, he set sail for the East Indies, and returned safely this year by the Cape of Good Hope. He was the first Englishman who sailed round the globe; and the first commander in chief for Magellan, who up to that time had died in his passage. His name became celebrated on account of so bold and fortunate an attempt; but many, apprehending the resentment of the Spaniards, endeavoured to persuade the queen, that it would be more prudent to disavow the enterprise, to punish Drake, and to restore the treasure. But Elizabeth, who admired valour, and was allured by the prospect of sharing in the booty, determined to countenance that gallant sailor: she conferred on him the honour of knighthood, and accepted of a banquet from him at Deptford, on board the ship which had achieved so memorable a voyage. When Philip's ambassador, Mendoza, exclaimed against Drake's piracies, she told him, that the Spaniards, by arrogating a right to the whole new world, and excluding thence all other European nations, who should sail thither, even with a view of exercising the most lawful commerce, naturally tempted others to make a violent irruption into those countries.⁹ To pacify, however, the catholic monarch, she caused part of the booty to be restored to Pedro de Seburga, a Spaniard, who pretended to be agent for the merchants whom Drake had spoiled. Having learned afterwards, that Philip had seized the money, and had employed part of it against herself in Ireland, part of it in the pay of the

prince of Parma's troops, she determined to make no more restitutions.

A PARLIAMENT. Jan. 16, 1581.

THERE WAS another cause, which induced the queen to take this resolution: she was in such want of money, that she was obliged to assemble a parliament, a measure, which, as she herself openly declared, she never embraced, except when constrained by the necessity of her affairs. The parliament, besides granting her a supply of one subsidy and two fifteenths, enacted some statutes for the security of her government, chiefly against the attempts of the catholics. Whoever, in any way, reconciled any one to the church of Rome, his self being cited, declared to be guilty of treason; to say mass was subjected to the penalty of a year's imprisonment, and a fine of two hundred marks; the being present

being punishable by a year's imprisonment, and a fine of one hundred marks: a fine of twenty pounds a month was imposed on every one who continued, during that time, absent from church.¹⁰ To utter slanderous or seditious words against the queen, was punishable, for the first offence, with the pillory and loss of ears; the second offence was declared felony: the writing or printing of such words was felony even on the first offence.¹¹ The puritans prevailed so far as to have farther applications made for reformation in religion:¹² and Paul Wentworth, brother to the member of that name who had distinguished himself in the preceding session, moved, That the commons, from their own authority, should appoint a general fast and prayers: a motion, to which the house unwarily assented. For this presumption, they were severely reprimanded by a message from the queen, as encroaching on the royal prerogative and supremacy; and they were obliged to submit, and ask forgive-

The queen and parliament were engaged to pass these severe laws against the catholics, by some late discoveries of the treacherous practices of their priests. When the ancient worship was suppressed, and the reformation introduced into the universities, the king of Spain reflected, that, as some species of literature was necessary for supporting these doctrines and controversies, the Romish communion must decay in England, if no means were found to give erudition to the ecclesiastics; and for this reason, he founded a seminary at Douay, where the catholics sent their children, chiefly such as were intended for the priesthood, in order to receive the rudiments of their education. The cardinal of Lorraine imitated this example, by erecting a like seminary in his diocese of Rheims; and though Rome was somewhat distant, the pope would not neglect

to adorn, by a foundation of the same nature, that capital of orthodoxy. These seminaries, founded with so hostile an intention, sent over every year a colony of priests, who maintained the catholic superstition in its full height of bigotry; and being educated with a view to the crown of martyrdom, were not deterred, either by danger or fatigue, from maintaining and propagating their principles. They infused into all their votaries an extreme hatred against the queen, whom they treated as an usurper, a schismatic, a heretic, a persecutor of the orthodox, and one solemnly and publicly anathematized by the holy father. Sedition, rebellion, sometimes assassination, were the expedients by which they intended to effect their purposes against her; and the severe restraint, not to say persecution, under which the catholics laboured, made them the more willingly receive, from their ghostly fathers, such violent doctrines.

These seminaries were all of them under the direction of the jesuits, a new order of regular priests erected in Europe, when the court of Rome perceived, that the lazy monks and beggarly friars, who sufficed in times of ignorance, were no longer able to defend the ramparts of the church, assailed on every side, and that the inquisitive spirit of the age required a society more active and more learned, to oppose its dangerous progress. These men, as they stood foremost in the contest against the protestants, drew on them the extreme animosity of that whole sect; and by assuming a superiority over the other more numerous and more ancient orders of their own communion, were even exposed to the envy of their brethren: so that it is no wonder, if the blame, to which their principles and conduct might be exposed, has, in many instances, been much exaggerated. This reproach, however, they must bear from posterity, that, by the very nature of their institution, they were engaged to pervert learning, the only effectual remedy against superstition, into a nourishment of that infirmity; and, as their erudition was chiefly of the ecclesiastical and scholastic kind (though a few members have cultivated polite literature), they were only the more enabled, by that acquisition, to refine away the plainest dictates of morality, and to erect a regular system of casuistry, by which prevarication, perjury, and every crime, when it served their ghostly purposes, might be justified and defended.

The jesuits, as devoted servants to the court of Rome, exalted the prerogative of the sovereign pontiff above all earthly power; and, by maintaining his authority of deposing kings, set no bounds either to his spiritual or temporal jurisdiction. This doctrine became so prevalent among the zealous catholics in England, that the excommunication fulminated

against Elizabeth excited many scruples of a singular kind, to which it behoved the holy father to provide a remedy. The bull of Pius, in absolving the subjects from their oaths of allegiance, commanded them to resist the queen's usurpation; and many Romanists were apprehensive, that, by this clause, they were obliged in conscience, even though no favourable opportunity offered, to rebel against her, and that no dangers or difficulties could free them from this indispensable duty. But Parsons and Campion, two jesuits, were sent over with a mitigation and explanation of the doctrine; and they taught their disciples, that though the bull was for ever binding on Elizabeth and her partisans; it did not oblige the catholics to obedience, except when the sovereign pontiff should think proper, by a new summons, to require it.¹⁴ Campion was afterwards detected in treasonable practices; and being put to the rack; and confessing his guilt, he was publicly executed. His execution was ordered at the very time when the duke of Anjou was in England, and prosecuted, with the greatest appearance of success, his marriage with the queen; and this severity was probably intended to appease her protestant subjects, and to satisfy them, that whatever measures she might pursue, she never would depart from the principles of the reformation.

NEGOTIATIONS OF MARRIAGE WITH THE DUKE OF ANJOU.

THE duke of Alençon, now created duke of Anjou, had never entirely dropped his pretensions to Elizabeth; and that princess, though her suitor was near twenty-five years younger than herself, and had no knowledge of her person, but by pictures or descriptions, was still pleased with the image, which his addresses afforded her, of love and tenderness. The duke, in order to forward his suit, besides employing his brother's ambassador, sent over Simier, an agent of his own; an artful man, of an agreeable conversation, who, soon remarking the queen's humour, amused her with gay discourse, and instead of serious political reasonings, which, he found, only awakened her ambition, and hurt his master's interests, he introduced every moment all the topics of passion and of gallantry. The pleasure which she found in this man's company, soon produced a familiarity between them; and amidst the greatest hurry of business, her most confidential ministers had not such ready access to her, as had Simier, who, on pretence of negotiation, entertained her with accounts of the tender attachment borne her by the duke of Anjou. The earl of Leicester, who had never before been alarmed with any courtship payed her, and who always trusted, that her love of dominion would prevail over her

inclination to marriage, began to apprehend that she was at last caught in her own snare, and that the artful encouragement which she had given to this young suitor had unawares engaged her affections. To render Simier odious, he availed himself of the credulity of the times, and spread reports, that that minister had gained an ascendancy over the queen, not by any natural principles of her constitution, but by incantations and love potions. Simier, in revenge, endeavoured to discredit Leicester with the queen; and he revealed to her a secret, which none of her courtiers dared to disclose, that this nobleman was secretly, without her consent, married to the widow of the earl of Essex; an action which the queen interpreted either to proceed from want of respect to her, or as a violation of their mutual attachment; and which so provoked her, that she threatened to send him to the Tower.¹⁵

The quarrel went so far between Leicester and the French agent, that the former was suspected of having employed one Tudor, a bravo, to take away the life of his enemy; and the queen thought it necessary, by proclamation, to take Simier under her immediate protection. It happened, that while Elizabeth was rowed in her barge on the Thames, attended by Simier, and some of her courtiers, a shot was fired which wounded one of the bargemen; but the queen finding, upon inquiry, that the piece had been discharged by accident, gave the person his liberty, without farther punishment. So far was she from entertaining any suspicion against her people, that she was often heard to say, "That she would lend credit to nothing against them, which parents would not believe of their own children."¹⁶

The duke of Anjou, encouraged by the accounts sent him of the queen's prepossessions in his favour, paid her secretly a visit at Greenwich; and after some conference with her, the purport of which is not known, he departed. It appeared that, though his figure was not advantageous, he had lost no ground by being personally known to her; and soon after, she commanded Burleigh, now treasurer, Sussex, Leicester, Bedford, Lincoln, Hatton, and secretary Walsingham, to concert with the French ambassadors the terms of the intended contract of marriage. Henry had sent over on this occasion a splendid embassy, consisting of Francis de Bourbon, prince dauphin, and many considerable noblemen; and as the queen had in a manner the power of prescribing what terms she pleased, the articles were soon settled with the English commissioners. It was agreed that the marriage should be celebrated within six weeks after the ratification of the articles; that the duke and his retinue should have the exercise of their religion; that after the marriage he should bear the

title of King, but the administration remain solely in the queen; that their children, male or female, should succeed to the crown of England; that if there be two males, the elder, in case of Henry's death without issue, should be king of France, the younger of England; that if there be but one male, and he succeed to the crown of France, he should be obliged to reside in England eight months every two years; that the laws and customs of England should be preserved inviolate; and that no foreigner should be promoted by the duke to any office in England.¹⁷

These articles, providing for the security of England, in case of its annexation to the crown of France, opened but a dismal prospect to the English; had not the age of Elizabeth, who was now in her forty-ninth year, contributed very much to allay their apprehensions of this nature. The queen also, as a proof of her still remaining uncertainty, added a clause, that she was not bound to complete the marriage till farther articles, which were not specified, should be agreed on between the parties, and till the king of France be certified of this agreement. Soon after, the queen sent over Walsingham, as ambassador to France, in order to form closer connections with Henry, and enter into a league offensive and defensive against the increasing power and dangerous usurpations of Spain. The French king, who had been extremely disturbed with the unquiet spirit, the restless ambition, the enterprising yet timid and inconstant disposition of Anjou, had already sought to free the kingdom from his intrigues, by opening a scene for his activity in Flanders; and having allowed him to embrace the protection of the States, had secretly supplied him with men and money for the undertaking. The prospect of settling him in England, was for a like reason very agreeable to that monarch; and he was desirous to cultivate, by every expedient, the favourable sentiments which Elizabeth seemed to entertain towards him. But this princess, though she had gone farther in her amorous dalliance¹⁸ than could be justified or accounted for by any principles of policy, was not yet determined to carry matters to a final conclusion; and she confined Walsingham in his instructions to negotiating conditions of a mutual alliance between France and England.¹⁹ Henry with reluctance submitted to hold conferences on the subject; but no sooner had Walsingham begun to settle the terms of alliance, than he was informed that the queen, foreseeing hostility with Spain to be the result of this confederacy, had declared that she would prefer the marriage with the war, before the war without the marriage.²⁰ The French court, pleased with this change of resolution, broke off the conferences concerning the league, and opened a negotiation for the marriage.²¹ But

matters had not long proceeded in this train before the queen again declared for the league in preference to the marriage, and ordered Walsingham to renew the conferences for that purpose. Before he had leisure to bring this point to maturity, he was interrupted by a new change of resolution;²² and not only the court of France, but Walsingham himself, Burleigh, and all the wisest ministers of Elizabeth, were in amazement, doubtful where this contest between inclination and reason, love and ambition, would at last terminate. [*See note C, at the end of this Vol.*]

In the course of this affair, Elizabeth felt another variety of intentions, from a new contest between reason and her ruling passions. The duke of Anjou expected from her some money, by which he might be enabled to open the campaign in Flanders; and the queen herself, though her frugality made her long reluctant, was sensible that this supply was necessary; and she was at last induced, after much hesitation, to comply with his request.²³ She sent him a present of a hundred thousand crowns; by which, joined to his own demesnes, and the assistance of his brother and the queen-dowager, he levied an army, and took the field against the prince of Parma. He was successful in raising the siege of Cambray; and being chosen by the States governor of the Netherlands, he put his army into winter quarters, and came over to England in order to prosecute his suit to the queen. The reception which he met with made him expect entire success, and gave him hopes that Elizabeth had surmounted all scruples, and was finally determined to make choice of him for her husband. In the midst of the pomp which attended the anniversary of her coronation (17th Nov.), she was seen, after long and intimate discourse with him, to take a ring from her own finger, and to put it upon his; and all the spectators concluded, that in this ceremony she had given him a promise of marriage, and was even desirous of signifying her intentions to all the world. St. Aldegonde, ambassador from the States, dispatched immediately a letter to his masters, informing them of this great event; and the inhabitants of Antwerp, who as well as other Flemings regarded the queen as a kind of tutelar divinity, testified their joy by bonfires and the discharge of their great ordnance.²⁴ A puritan of Lincoln's-Inn had written a passionate book, which he intitled, "The Gulph in which England will be swallowed by the French marriage." He was apprehended and prosecuted by order of the queen, and was condemned to lose his right hand as a libeller. Such was the constancy and loyalty of the man, that immediately after the sentence was executed, he took off his hat with his other hand, and waving it over his head, cried, "God save the queen."

But notwithstanding this attachment which Elizabeth so openly discovered to the duke of Anjou, the combat of her sentiments was not entirely over; and her ambition, as well as prudence, rousing itself by intervals, still filled her breast with doubt and hesitation. Almost all the courtiers whom she trusted and favoured, Leicester, Hatton, and Walsingham, discovered an extreme aversion to the marriage; and the ladies of her bed-chamber made no scruple of opposing her resolution with the most zealous remonstrances.²⁵ Among other enemies to the match, sir Philip, son of sir Henry Sidney, deputy of Ireland, and nephew of Leicester, a young man the most accomplished of the age, declared himself: and he used the freedom to write her a letter, in which he dissuaded her from her present resolution, with an unusual elegance of expression, as well as force of reasoning. He told her, that the security of her government depended entirely on the affections of her protestant subjects; and she could not, by any measure, more effectually disgust them, than by espousing a prince who was son of the perfidious Catherine, brother to the cruel and perfidious Charles, and who had himself imbrued his hands in the blood of the innocent and defenceless protestants: that the catholics were her mortal enemies, and believed either that she had usurped the crown, or was now lawfully deposed by the pope's bull of excommunication; and nothing had ever so much elevated their hopes as the prospect of her marriage with the duke of Anjou: that her chief security at present against the efforts of so numerous, rich, and united a faction, was, that they possessed no head who could conduct their dangerous enterprises; and she herself was rashly supplying that defect, by giving an interest in the kingdom to a prince whose education had zealously attached him to that communion: that though he was a stranger to the blood royal of England, the dispositions of men were now such that they preferred the religious to the civil connexions; and were more influenced by sympathy in theological opinions, than by the principles of legal and hereditary government: that the duke himself had discovered a very restless and turbulent spirit; and having often violated his loyalty to his elder brother and his sovereign, there remained no hopes that he would passively submit to a woman whom he might in quality of a husband think himself entitled to command. that the French nation, so populous, so much abounding in soldiers, so full of nobility who were devoted to arms, and for some time accustomed to serve for plunder, would supply him with partisans dangerous to a people unwarlike and defenceless like the generality of her subjects: that the plain and honourable path which she had

followed, of cultivating the affections of her people, had hitherto rendered her reign secure and happy; and however her enemies might seem to multiply upon her, the same invincible rampart was still able to protect and defend her; that so long as the throne of France was filled by Henry or his posterity, it was in vain to hope that the ties of blood would insure the amity of that kingdom, preferably to the maxims of policy or the prejudices of religion; and if ever the crown devolved on the duke of Anjou, the conjunction of France and England would prove rather a burden than a protection to the latter kingdom: that the example of her sister Mary was sufficient to instruct her in the danger of such connexions; and to prove that the affection and confidence of the English could never be maintained where they had such reason to apprehend that their interests would every moment be sacrificed to those of a foreign and hostile nation: that notwithstanding these great inconveniences, discovered by past experience, the house of Burgundy, it must be confessed, was more popular in the nation than the family of France; and what was of chief moment, Philip was of the same communion with Mary, and was connected with her by this great band of interest and affection: and that however the queen might remain childless, even though old age should grow upon her, the singular felicity and glory of her reign would preserve her from contempt; the affections of her subjects, and those of all the protestants in Europe, would defend her from danger; and her own prudence, without other aid or assistance, would baffle all the efforts of her most malignant enemies.²⁶

1582. These reflections kept the queen in great anxiety and irresolution; and she was observed to pass several nights without any sleep or repose. At last her settled habits of prudence and ambition prevailed over her temporary inclination; and having sent for the duke of Anjou, she had a long conference with him in private, where she was supposed to have made him apologies for breaking her former engagements. He expressed great disgust on his leaving her; threw away the ring which she had given him; and uttered many curses on the mutability of women, and of islanders.²⁷ Soon after, he went over to his government of the Netherlands; lost the confidence of the States by a rash and violent attempt on their liberties; was expelled that country; retired into France, and there died. The queen, by timely reflection, saved herself from the numerous mischiefs which must have attended so imprudent a marriage: and the distracted state of the French monarchy prevented her from feeling any effects of that resentment which she had reason to dread from the affront so wantonly put upon that royal family.

AFFAIRS OF SCOTLAND.

THE anxiety of the queen from the attempts of the English catholics never ceased during the whole course of her reign; but the variety of revolutions which happened in all the neighbouring kingdoms, was the source sometimes of her hopes, sometimes of her apprehensions. This year the affairs of Scotland strongly engaged her attention. The influence which the earl of Lenox, and James Stuart, who now assumed the title of earl of Arran, had acquired over the young king, was but a slender foundation of authority; while the generality of the nobles and all the preachers were so much discontented with their administration. The assembly of the church appointed a solemn fast; of which one of the avowed reasons was the danger to which the king was exposed from the company of wicked persons:⁸⁸ and on that day the pulpits resounded with declamations against Lenox, Arran, and all the present counsellors. When the minds of the people were sufficiently prepared by these lectures, a conspiracy of the nobility was formed, probably with the concurrence of Elizabeth, for seizing the person of James at Ruthven, a seat of the earl of Gowry's; and the design being kept secret, succeeded without any opposition (23d Aug.) The leaders in this enterprisé were, the earl of Gowry himself, the earl of Marre, the lords Lindesey and Boyd, the masters of Glamis and Oliphant, the abbots of Dumfermline, Paisley, and Cambuskenneth. The king wept when he found himself detained a prisoner; but the master of Glamis said, "No matter for his tears: better that boys weep than bearded men:" an expression which James could never afterwards forgive.⁸⁹ But notwithstanding his resentment, he found it necessary to submit to the present necessity. He pretended an entire acquiescence in the conduct of the associators; acknowledged the detention of his person to be acceptable service; and agreed to summon both an assembly of the church and a convention of estates, in order to ratify that enterprisé.

The assembly, though they had established it as an inviolable rule, that the king on no account and on no pretence should ever intermeddle in ecclesiastical matters, made no scruple of taking civil affairs under their cognizance, and of deciding on this occasion, that the attempt of the conspirators was acceptable to all that feared God, or tendered the preservation of the king's person, and prosperous state of the realm. They even enjoined all the clergy to recommend these sentiments from the pulpit, and they threatened with ecclesiastical censures every man who should oppose the authority of the confederated lords.⁹⁰ The convention being composed chiefly of these lords themselves, added their sanction to these proceedings. Arran was confined a prisoner in his

own house: Lenox, though he had power to resist, yet rather than raise a civil war, or be the cause of bloodshed,⁹¹ chose to retire into France, where he soon after died. He persevered to the last in the protestant religion, to which James had converted him, but which the Scottish clergy could never be persuaded that he had sincerely embraced. The king sent for his family, restored his son to his paternal honours and estate, took care to establish the fortunes of all his other children; and to his last moments never forgot the early friendship which he had borne their father—a strong proof of the good dispositions of the prince.⁹²

No sooner was this revolution known in England than the queen sent sir Henry Cary and sir Robert Bowes to James, in order to congratulate him on his deliverance from the pernicious counsels of Lenox and Arran; to exhort him not to resent the seeming violence committed on him by the confederated lords; and to procure from him permission for the return of the earl of Angus, who ever since Morton's fall had lived in England. They easily prevailed in procuring the recall of Angus; and as James suspected that Elizabeth had not been entirely unacquainted with the project of his detention, he thought proper before the English ambassadors to dissemble his resentment against the authors of it.....1583. Soon after, La Mothe-Fencelon, and Menneville, appeared as ambassadors from France: their errand was to enquire concerning the situation of the king, make professions of their master's friendship, confirm the ancient league with France, and procure an accommodation between James and the queen of Scots. This last proposal gave great umbrage to the clergy; and the assembly voted the settling of terms between the mother and son to be a most wicked undertaking. The pulpits resounded with declamations against the French ambassadors; particularly Fencelon, whom they called the messenger of the bloody murderer, meaning the duke of Guise: and as that minister, being knight of the Holy Ghost, wore a white cross on his shoulder, they commonly denominated it in contempt the badge of Antichrist. The king endeavoured, though in vain, to repress these insolent reflections; but in order to make the ambassadors some compensation, he desired the magistrates of Edinburgh to give them a splendid dinner before their departure. To prevent this entertainment, the clergy appointed that very day for a public fast; and finding that their orders were not regarded, they employed their sermons in thundering curses on the magistrates, who, by the king's direction, had put this mark of respect on the ambassadors. They even pursued them afterwards with the censures of the church; and it was with difficulty they were prevented from issuing the sentence of excommunication against them, on

account of their submission to royal, preference to clerical, authority.³³

LETTER OF MARY TO ELIZABETH.

WHAT increased their alarm with regard to an accommodation between James and Mary was, that the English ambassadors seemed to concur with the French in this proposal; and the clergy were so ignorant as to believe the sincerity of the professions made by the former. The queen of Scots had often made overtures to Elizabeth, which had been entirely neglected; but hearing of James's detention, she wrote a letter in a more pathetic and more spirited strain than usual; craving the assistance of that princess both for her own and her son's liberty. She said, that the account of the prince's captivity had excited her most tender concern; and the experience which she herself, during so many years, had of the extreme infelicity attending that situation, had made her the more apprehensive lest a like fate should pursue her unhappy offspring: that the long train of injustice which she had undergone, the calumnies to which she had been exposed, were so grievous, that finding no place for right or truth among men, she was reduced to make her last appeal to Heaven, the only competent tribunal between princes of equal jurisdiction, degree, and dignity: that after her rebellious subjects, secretly instigated by Elizabeth's ministers, had expelled her the throne, had confined her in prison, had pursued her with arms, she had voluntarily thrown herself under the protection of England; fatally allured by those reiterated professions of amity which had been made her, and by her confidence in the generosity of a friend, an ally, and a kinswoman: that, not content with excluding her from her presence, with supporting the usurpers of her throne, with contributing to the destruction of her faithful subjects, Elizabeth had reduced her to a worse captivity than that from which she had escaped, and had made her this cruel return for the unlimited confidence which she had reposed in her: that though her resentment of such severe usage had never carried her farther than to use some disappointed efforts for her deliverance, unhappy for herself, and fatal to others, she found the rigours of confinement daily multiplied upon her; and at length carried to such a height that it surpassed the bounds of all human patience any longer to endure them: that she was cut off from all communication, not only with the rest of mankind, but with her only son; and her maternal fondness, which was now more enlivened by their unhappy sympathy in situation, and was her sole remaining attachment to this world, deprived even of that melancholy solace which letters or messages could give: that the bitterness

of her sorrows, still more than her close confinement, had preyed upon her health, and had added the insufferable weight of bodily infirmity to all those other calamities under which she laboured: that while the daily experience of her maladies opened to her the comfortable prospect of an approaching deliverance into a region where pain and sorrow are no more, her enemies envied her that last consolation; and having secluded her from every joy on earth, had done what in them lay to debar her from all hopes in her future and eternal existence: that the exercise of her religion was refused her; the use of those sacred rites in which she had been educated; the commerce with those holy ministers whom Heaven had appointed to receive the acknowledgment of our transgressions, and to seal our penitence by a solemn re-admission into heavenly favour and forgiveness: that it was in vain to complain of the rigours of persecution exercised in other kingdoms, when a queen and an innocent woman was excluded from an indulgence which never yet, in the most barbarous countries, had been denied to the meanest and most obnoxious malefactor: that could she ever be induced to descend from that royal dignity in which Providence had placed her, or depart from her appeal to Heaven, there was only one other tribunal to which she would appeal from all her enemies; to the justice and humanity of Elizabeth's own breast, and to that lenity which, uninfluenced by malignant counsel, she would naturally be induced to exercise towards her: and that she finally entreated her to resume her natural disposition, and to reflect on the support, as well as comfort, which she might receive from her son and herself, if, joining the obligations of gratitude to the ties of blood, she would deign to raise them from their present melancholy situation, and reinstate them in that liberty and authority to which they were entitled.³⁴

Elizabeth was engaged to obstruct Mary's restoration, chiefly because she foresaw an unhappy alternative attending that event. If this princess recovered any considerable share of authority in Scotland, her resentment, ambition, zeal, and connexions, both domestic and foreign, might render her a dangerous neighbour to England, and enable her, after suppressing the protestant party among her subjects, to revive those pretensions which she had formerly advanced to the crown, and which her partisans in both kingdoms still supported with great industry and assurance. If she were reinstated in power with such strict limitations as could not be broken, she might be disgusted with her situation; and flying abroad, form more desperate attempts than any sovereign who had a crown to hazard would willingly undertake. Mary herself, sensible of these difficulties, and convinced

by experience that Elizabeth would for ever debar her the throne, was now become more humble in her wishes; and as age and infirmities had repressed those sentiments of ambition by which she had formerly been so much actuated, she was willing to sacrifice all her hopes of grandeur in order to obtain a little liberty; a blessing to which she naturally aspired with the fondest impatience. She proposed therefore, that she should be associated with her son in the title to the crown of Scotland, but that the administration should remain solely in him; and she was content to live in England in a private station, and even under a kind of restraint; but with some more liberty, both for exercise and company, than she had enjoyed since the first discovery of her intrigues with the duke of Norfolk. But Elizabeth, afraid lest such a loose method of guarding her would facilitate her escape into France or Spain, or at least would encourage and increase her partisans, and enable her to conduct those intrigues to which she had already dis-

secretly determined to deny her requests, and though she feigned to assent to them, she well knew how to disappoint the expectations of that unhappy princess. While Lenox maintained his authority in Scotland, she never gave any reply to all the applications made to her by the Scottish queen:³⁵ at present, when her own creatures had acquired possession of the government, she was resolved to throw the odium of refusal upon them; and pretending that nothing farther was required to a perfect accommodation than the concurrence of the council of state in Scotland, she ordered her ambassador, Bowes, to open the negotiation for Mary's liberty, and her association with her son in the title to the crown. Though she seemed to make this concession to Mary, she refused her the liberty of sending any ambassador of her own; and that princess could easily conjecture from this circumstance what would be the result of the pretended negotiation. The privy council of Scotland, instigated by the clergy, rejected all treaty; and James, who was now a captive in their hands, affirmed that he had never agreed to an association with his mother, and that the matter had never gone farther than some loose proposals for that purpose.³⁶

The affairs of Scotland remained not long in the present situation. James, impatient of restraint, made his escape from his keepers; and flying to St. Andrews, summoned his friends and partisans to attend him. The earls of Argyll, Marshal, Montrose, and Rothes, hastened to pay their duty to their sovereign; and the opposite party found themselves unable to resist so powerful a combination. They were offered a pardon upon their submission, and an acknowledgment of their fault in

seizing the king's person, and restraining him from his liberty. Some of them accepted of the terms: the greater number, particularly Angus, Hamilton, Marre, Glamis, left the country, and took shelter in Ireland or England, where they were protected by Elizabeth. The earl of Arran was recalled to court; and the malcontents, who could not brook the authority of Lenox, a man of virtue and moderation, found that by their resistance, they had thrown all power into the hands of a person whose counsels were as violent as his manners were profligate.³⁷

Elizabeth wrote a letter to James; in which she quoted a moral sentence from Isocrates, and indirectly reproached him with inconsistency, and a breach of his engagements. James, in his reply, justified his measures; and retaliated by turning two passages of Isocrates against her.³⁸ She next sent Walsingham on an embassy to him; and her chief purpose in employing that aged minister in an errand where so little business was to be transacted, was to learn from a man of so much penetration and experience, the real character of James. This young prince possessed good parts, though not accompanied with that vigour and industry which his station required; and as he excelled in general discourse and conversation, Walsingham entertained a higher idea of his talents than he was afterwards found, when real business was transacted, to have fully merited.³⁹ The account which he gave his mistress induced her to treat James thenceforth with some more regard than she had hitherto been inclined to pay him.

1584. The king of Scots persevering in his present views, summoned a parliament; where it was enacted, that no clergyman should presume in his sermons to utter false, untrue, or scandalous speeches against the king, the council, or the public measures, or to meddle in an improper manner with the affairs of his majesty and the states.⁴⁰ The clergy, finding that the pulpit would be no longer a sanctuary for them, were extremely offended: they said that the king was become popish in his heart; and they gave their adversaries the epithets of gross libertines, belly gods, and infamous persons.⁴¹ The violent conduct of Arran soon brought over the popularity to their side. The earl of Gowry, though pardoned for the late attempt, was committed to prison, was tried on some new accusations, condemned and executed. Many innocent persons suffered from the tyranny of this favourite; and the banished lords being assisted by Elizabeth, now found the time favourable for the recovery of their estates and authority. After they had been foiled in one attempt upon Stirling, they prevailed in another; and being admitted to the king's presence, were pardoned and restored to his favour. •

Arran was degraded from authority; deprived of that estate and title which he had usurped; and the whole country seemed to be composed to tranquillity. Elizabeth, after opposing, during some time, the credit of the favourite, had found it more expedient before his fall to compound all differences with him by means of Davison, a minister whom she sent to Scotland: but having more confidence in the lords whom she had helped to restore, she was pleased with this alteration of affairs; and maintained a good correspondence with the new court and ministry of James.

CONSPIRACIES IN ENGLAND.

THESE revolutions in Scotland would have been regarded as of small importance to the repose and security of Elizabeth, had her own subjects been entirely united, and had not the zeal of the catholics, excited by constraint more properly than persecution, daily threatened her with some dangerous insurrection. The vigilance of the ministers, particularly of Burleigh and Walsingham, was raised in proportion to the activity of the malcontents; and many arts, which had been blameable in a more peaceful government, were employed in detecting conspiracies, and even discovering the secret inclinations of men. Counterfeit letters were written in the name of the queen of Scots, or of the English exiles, and privately conveyed to the houses of the catholics: spies were hired to observe the actions and discourse of suspected persons: informers were countenanced: and though the sagacity of these two great ministers helped them to distinguish the true from the false intelligence, many calumnies were, no doubt, hearkened to, and all the subjects, particularly the catholics, kept in the utmost anxiety and inquietude. Henry Piercy earl of Northumberland, brother to the earl beheaded some years before, and Philip Howard earl of Arundel, son of the unfortunate duke of Norfolk, fell under suspicion; and the latter was, by order of council, confined to his own house. Francis Throgmorton, a private gentleman, was committed to custody, on account of a letter which he had written to the queen of Scots, and which was intercepted. Lord Paget and Charles Arundel, who had been engaged with him in treasonable designs, immediately withdrew beyond sea. Throgmorton confessed that a plan for an invasion and insurrection had been laid, and though, on his trial, he was desirous of retracting this confession, and imputing it to the fear of torture, he was found guilty, and executed. Mendoza the Spanish ambassador, having promoted this conspiracy, was ordered to depart the kingdom; and Wade was sent into Spain, to excuse his omission, and to desire the king to send another ambassador

in his place: but Philip would not so much as admit the English ambassador to his presence. Creighton, a Scottish jesuit, coming over on board a vessel which was seized, tore some papers, with an intention of throwing them into the sea; but the wind blowing them back upon the ship, they were pieced together, and discovered some dangerous secrets.⁴²

Many of these conspiracies were, with great appearance of reason, imputed to the intrigues of the queen of Scots;⁴³ and as her name was employed in all of them, the council thought that they could not use too many precautions against the danger of her claims, and the restless activity of her temper. She was removed from under the care of the earl of Shrewsbury, who, though vigilant and faithful in that trust, had also been indulgent to his prisoner, particularly with regard to air and exercise: and she was committed to the custody of sir Amias Paulet and sir Drue Drury; men of honour, but inflexible in their care and attention. An association was also set on foot by the earl of Leicester and other courtiers; and as Elizabeth was beloved by the whole nation, except the more zealous catholics, men of all ranks willingly flocked to the subscription of it. The purport of this association was to defend the queen, to revenge her death or any injury committed against her, and to exclude from the throne all claimants, what title soever they might possess, by whose suggestion or for whose behalf any violence should be offered to her majesty.⁴⁴ The queen of Scots was sensible that this association was levelled against her; and to remove all suspicion from herself, she also desired leave to subscribe it.

A PARLIAMENT. Nov. 23.

ELIZABETH, that she might the more discourage malcontents, by showing them the concurrence of the nation in her favour, summoned a new parliament; and she met with that dutiful attachment which she expected. The association was confirmed by parliament; and a clause was added, by which the queen was empowered to name commissioners for the trial of any pretender to the crown who should attempt or imagine any invasion, insurrection, or assassination against her: upon condemnation pronounced by these commissioners, the guilty person was excluded from all claim to the succession, and was farther punishable as her majesty should direct. And for the greater security, a council of regency, in case of the queen's violent death, was appointed to govern the kingdom, to settle the succession, and to take vengeance for that act of treason.⁴⁵

A severe law was also enacted against jesuits and popish priests: it was ordained that they should depart the kingdom within forty days;

that those who should remain beyond that time or should afterwards return, should be guilty of treason; that those who harboured or relieved them should be guilty of felony; that those who were educated in seminaries, if they returned not in six months after notice given, and submitted not themselves to the queen, before a bishop or two justices, should be guilty of treason; and that if any, so submitting themselves, should within ten years approach the court, or come within ten miles of it, their submission should be void.⁴⁶ By this law the exercise of the catholic religion, which had formerly been prohibited under lighter penalties, and which was in many instances connived at, was totally suppressed. In the subsequent part of the queen's reign, the law was sometimes executed by the capital punishment of priests; and though the partisans of that princess asserted that they were punished for their treason, not their religion, the apology must only be understood in this sense, that the law was enacted on account of the treasonable views and attempts of the sect, not that every individual who suffered the penalty of the law was convicted of treason.⁴⁷ The catholics, therefore, might now with justice complain of a violent persecution; which we may safely affirm, in spite of the rigid and bigoted maxims of that age, not to be the best method of converting them, or of reconciling them to the established government and religion.

The parliament, besides arming the queen with these powers, granted her a supply of one subsidy and two fifteenths. The only circumstance in which their proceedings were disagreeable to her, was an application made by the commons for a farther reformation in ecclesiastical matters. Yet even in this attempt, which affected her as well as them in a delicate point, they discovered how much they were overawed by her authority. The majority of the house were puritans, or inclined to that sect;⁴⁸ but the severe reprimands which they had already in former sessions met with from the throne, deterred them from introducing any bill concerning religion; a proceeding which would have been interpreted as an encroachment on the prerogative: they were content to proceed by way of humble petition, and that not addressed to her majesty, which would have given offence, but to the house of lords, or rather the bishops, who had a seat in that house, and from whom alone they were willing to receive all advances towards reformation:⁴⁹ a strange departure from what we now apprehend to be the dignity of the commons!

The commons desired, in their humble petition, that no bishop should exercise his function of ordination but with the consent and concurrence of six presbyters: but this demand, as it really introduced a change of ecclesiastical government, was firmly rejected by the prelates.

They desired that no clergyman should be instituted into any benefice, without previous notice being given to the parish, that they might examine whether there lay any objection to his life or doctrine: an attempt towards a popular model, which naturally met with the same fate. In another article of the petition, they prayed that the bishops should not insist upon every ceremony, or deprive incumbents for omitting part of the service: as if uniformity in public worship had not been established by law; or as if the prelates had been endowed with a dispensing power. They complained of abuses which prevailed in pronouncing the sentence of excommunication, and they entreated the reverend fathers to think of some law for the remedy of these abuses: implying, that those matters were too high for the commons of themselves to attempt.

But the most material article which the commons touched upon in their petition, was the court of ecclesiastical commission, and the oath *ex officio*, as it was called, exacted by that court. This is a subject of such importance as to merit some explanation.

• THE ECCLESIASTICAL COURT.

THE first primate after the queen's accession was Parker; a man rigid in exacting conformity to the established worship, and in punishing, by fine or deprivation, all the puritanical clergymen who attempted to innovate any thing in the habits, ceremonies, or liturgy of the church. He died in 1575; and was succeeded by Grindal, who, as he himself was inclined to the new sect, was with great difficulty brought to execute the laws against them, or to punish the non-conforming clergy. He declined obeying the queen's orders for the suppression of *prophesyings*, or the assemblies of the zealots in private houses, which she apprehended had become so many academies of fanaticism; and for this offence she had, by an order of the Star Chamber, sequestered him from his archiepiscopal function, and confined him to his own house. Upon his death, which happened in 1583, she determined not to fall into the same error in her next choice; and she named Whitgift, a zealous churchman, who had already signalized his pen in controversy, and who, having in vain attempted to convince the puritans by argument, was now resolved to open their eyes by power, and by the execution of penal statutes. He informed the queen, that all the spiritual authority lodged in the prelates was insignificant without the sanction of the crown; and as there was no ecclesiastical commission at that time in force, he engaged her to issue a new one; more arbitrary than any of the former, and conveying more unlimited authority.⁵⁰ She appointed forty-four commissioners, twelve of whom were ecclesiastics; three commissioners made a

quorum; the jurisdiction of the court extended over the whole kingdom, and over all orders of men; and every circumstance of its authority, and all its methods of proceeding, were contrary to the clearest principles of law and natural equity. The commissioners were empowered to visit and reform all errors, heresies, schisms; in a word, to regulate all opinions, as well as to punish all breach of uniformity in the exercise of public worship. They were directed to make enquiry, not only by the legal method of juries and witnesses, but by all other means and ways which they could devise; that is, by the rack, by torture, by inquisition, by imprisonment. Where they found reason to suspect any person, they might administer to him an oath, called *ex officio*, by which he was bound to answer all questions, and might thereby be obliged to accuse himself or his most intimate friend. The fines which they levied were discretionary, and often occasioned the total ruin of the offender, contrary to the established laws of the kingdom. The imprisonment to which they condemned any delinquent was limited to no rule but their own pleasure. They assumed a power of imposing on the clergy what new articles of subscription, and consequently of faith, they thought proper. Though all other spiritual courts were subject, since the reformation, to inhibitions from the supreme courts of law, the ecclesiastical commissioners were exempted from that legal jurisdiction, and were liable to no control. And the more to enlarge their authority, they were empowered to punish all incests, adulteries, fornications; all outrages, misbehaviours, and disorders in marriage: and the punishments which they might inflict, were according to their wisdom, conscience, and discretion. In a word, this court was a real *inquisition*; attended with all the iniquities, as well as cruelties, inseparable from that tribunal. And as the jurisdiction of the ecclesiastical court was destructive of all law, so its erection was deemed by many a mere usurpation of this imperious princess; and had no other foundation than a clause of a statute, restoring the supremacy to the crown, and empowering the sovereign to appoint commissioners for exercising that prerogative. But prerogative in general, especially the supremacy, was supposed in that age to involve powers which no law, precedent, or reason could limit and determine.

But though the commons, in their humble petition to the prelates, had touched so gently and submissively on the ecclesiastical grievances, the queen, in a speech from the throne at the end of the session, could not forbear taking notice of their presumption, and reproving them for those murmurs, which, for fear of offending her, they had pronounced so low as not directly to reach her royal ears. After

giving them some general thanks for their attachment to her, and making professions of affection to her subjects, she told them; that whoever found fault with the church threw a slander upon her, since she was appointed by God supreme ruler over it, and no heresies or schisms could prevail in the kingdom but by her permission and negligence: that some abuses must necessarily have place in every thing; but she warned the prelates to be watchful; for if she found them careless of their charge, she was fully determined to depose them: that she was commonly supposed to have employed herself in many studies, particularly philosophical (by which I suppose she meant theological), and she would confess that few, whose leisure had not allowed them to make profession of science, had read or reflected more: that as she could discern the presumption of many, in curiously canvassing the scriptures, and starting innovations, she would no longer endure this licentiousness; but meant to guide her people, by God's rule, in the just mean between the corruptions of Rome and the errors of modern sectaries: and that as the Romanists were the inveterate enemies of her person, so the other innovators were dangerous to all kingly government; and, under colour of preaching the word of God, presumed to exercise their private judgment, and to censure the actions of the prince. [See note D, at the end of this Vol.]

From the whole of this transaction we may observe, that the commons, in making their general application to the prelates, as well as in some particular articles of their petition, showed themselves wholly ignorant, no less than the queen, of the principles of liberty, and a legal constitution. And it may not be unworthy of remark, that Elizabeth, so far from yielding to the displeasure of the parliament against the ecclesiastical commission, granted, before the end of her reign, a new commission; in which she enlarged, rather than restrained, the powers of the commissioners.⁵¹

During this session of parliament there was discovered a conspiracy, which much increased the general animosity against the catholics, and still farther widened the breach between the religious parties. William Parry, a catholic gentleman, had received the queen's pardon for a crime, by which he was exposed to capital punishment; and, having obtained permission to travel, he retired to Milan, and made open profession of his religion, which he had concealed while he remained in England. He was here persuaded by Palmio, a jesuit, that he could not perform a more meritorious action than to take away the life of his sovereign and his benefactress; the nuncio Campeggio, when consulted, approved extremely of this pious undertaking; and Parry, though still agitated

with doubts, came to Paris, with an intention of passing over to England, and executing his bloody purpose. He was here encouraged in his design by Thomas Morgan, a gentleman of great credit in the party; and though Watts and some other catholic priests told him that his enterprise was criminal and impious, he referred the authority of Raggazzoni, theuncio at Paris, and determined to persist in his resolution. He here wrote a letter to the pope, which was conveyed to cardinal Como; and communicated his intention to the holy father; and craved his absolution and paternal benediction. He received an answer from the cardinal, by which he found that his purpose was extremely applauded; and he came over

England with a full design of carrying it into execution. So deeply are the sentiments of morality engrained in the human breast, that it is difficult even for the prejudices of a false religion totally to efface them; and this bigoted assassin resolved, before he came to extremities, to try every other expedient for alleviating the persecutions under which the catholics at that time laboured. He found means of being introduced to the queen; assured her that many conspiracies were formed against her; and exhorted her, as she tendered her life, to give the Romanists some more indulgence in the exercise of their religion; but, lest he should be tempted by the opportunity to assassinate her, he always came to court provided with every offensive weapon. He even found means to be elected member of parliament; and having made a vehement harangue against the severe laws enacted this last session, was committed to custody for his freedom, and sequestered from the house. His failure in these attempts confirmed him the more in his former resolution; and he communicated his intentions to Nevil, who entered zealously into the design, and was determined to have a share in the merits of its execution. A book, newly published by Dr. Allen, afterwards created a cardinal, served farther to efface all their scruples with regard to the murder of an heretical prince; and having agreed to shoot the queen while she should be taking the air on horseback, they resolved, if they could not make their escape, to sacrifice their lives, in fulfilling a duty so agreeable, as they imagined, to the will of God and to true religion. But while they were watching an opportunity for the execution of their purpose, the earl of Westmoreland happened to be in exile; and as Nevil was next heir to that family, he began to entertain hopes, that by doing some acceptable service to the queen, he might recover the estate and honours which had been forfeited by the rebellion of the last earl. He betrayed the whole conspiracy to the ministers; and Parry, being thrown into prison, confessed the guilt, both to them and to

the jury who tried him. The letter from cardinal Como, being produced in court, put Parry's narrative beyond all question; and that criminal, having received sentence of death,²² suffered the punishment which the law appointed for his treasonable conspiracy. [See note E, at the end of this Vol.]

AFFAIRS OF THE LOW COUNTRIES.

THESE bloody designs now appeared everywhere as the result of that bigoted spirit by which the two religions, especially the catholic, were at this time actuated. Somerville, a gentleman of the county of Warwick, somewhat disordered in his understanding, had heard so much of the merit attending the assassination of heretics and persecutors, that he came to London with a view of murdering the queen; but having betrayed his design by some extravagances, he was thrown into prison, and there perished by a voluntary death.²³ About the same time Baltazar Gerard, a Burgundian, undertook and executed the same design against the prince of Orange; and that great man perished at Delft, by the hands of a desperate assassin, who, with a resolution worthy of a better cause, sacrificed his own life, in order to destroy the famous restorer and protector of religious liberty. The Flemings, who regarded that prince as their father, were filled with great sorrow, as well when they considered the miserable end of so brave a patriot, as their own forlorn condition from the loss of so powerful and prudent a leader, and from the rapid progress of the Spanish arms. The prince of Parma had made every year great advances upon them, had reduced several of the provinces to obedience, and had laid close siege to Antwerp, the richest and most populous city of the Netherlands, whose subjection, it was foreseen, would give a mortal blow to the already declining affairs of the revolted provinces. The only hopes which remained to them arose from the prospect of foreign succour. Being well acquainted with the cautious and frugal maxims of Elizabeth, they expected better success in France; and, in the view of engaging Henry to embrace their defence, they tendered him the sovereignty of their provinces.....1585. But the present condition of that monarchy obliged the king to reject so advantageous an offer. The duke of Anjou's death, which he thought would have tended to restore public tranquillity, by delivering him from the intrigues of that prince, plunged him into the deepest distress; and the king of Navarre, a professed hugonot, being next heir to the crown, the duke of Guise took thence occasion to revive the catholic league, and to urge Henry, by the most violent expedients, to seek the exclusion of that brave and virtuous prince. Henry himself, though a zealous

catholic, yet, because he declined complying with their precipitate measures, became an object of aversion to the league; and as his zeal, in practising all the superstitious observances of the Romish church, was accompanied with a very licentious conduct in private life; the catholic faction, in contradiction to universal experience, embraced thence the pretext of representing his devotion as mere deceit and hypocrisy. Finding his authority to decline, he was obliged to declare war against the hugonots, and to put arms into the hands of the league, whom, both on account of their dangerous pretensions at home, and their close alliance with Philip, he secretly regarded as his more dangerous enemies. Constrained by the same policy, he dreaded the danger of associating himself with the revolted protestants in the Low Countries, and was obliged to renounce that inviting opportunity of revenging himself for all the hostile intrigues and enterprises of Philip.

The States, reduced to this extremity, sent over a solemn embassy to London, and made anew an offer to the queen, of acknowledging her for their sovereign, on condition of obtaining her protection and assistance. Elizabeth's wisest counsellors were divided in opinion with regard to the conduct which she should hold in this critical and important emergence. Some advised her to reject the offer of the States, and represented the imminent dangers, as well as injustice, attending the acceptance of it. They said, that the suppression of rebellious subjects was the common cause of all sovereigns, and an encouragement given to the revolt of the Flemings, might prove the example of a like pernicious licence to the English: that though princes were bound by the laws of the Supreme Being, not to oppress their subjects, the people never were entitled to forget all duty to their sovereign, or transfer, from every fancy or disgust, or even from the justest ground of complaint, their obedience to any other master: that the queen, in the succours hitherto afforded the Flemings, had considered them as labouring under oppression, not as entitled to freedom; and had intended only to admonish Philip not to persevere in his tyranny, without any view of ravishing from him these provinces which he enjoyed by hereditary right from his ancestors: that her situation in Ireland, and even in England, would afford that powerful monarch sufficient opportunity of retaliating upon her; and she must thenceforth expect that, instead of secretly fomenting faction, he would openly employ his whole force in the protection and defence of the catholics: that the pope would undoubtedly unite his spiritual arms to the temporal ones of Spain: and that the queen would soon repent her making so precarious an acquisition in foreign countries,

by exposing her own dominions to the most imminent danger.⁵⁴

Other counsellors of Elizabeth maintained a contrary opinion. They asserted, that the queen had not, even from the beginning of her reign, but certainly had not at present, the choice whether she would embrace friendship or hostility with Philip: that by the whole tenor of that prince's conduct it appeared, that his sole aims were, the extending of his empire, and the entire subjection of the protestants, under the specious pretence of maintaining the catholic faith: that the provocations which she had already given him, joined to his general scheme of policy, would for ever render him her implacable enemy; and as soon as he had subdued his revolted subjects, he would undoubtedly fall, with the whole force of his united empire, on her defenceless state: that the only question was, whether she would maintain a war abroad, and supported by allies, or wait till the subjection of all the confederates of England should give her enemies leisure to begin their hostilities in the bowels of the kingdom: that the revolted provinces, though in a declining condition, possessed still considerable force; and by the assistance of England, by the advantages of their situation, and by their inveterate antipathy to Philip, might still be enabled to maintain the contest against the Spanish monarchy: that their maritime power, united to the queen's, would give her entire security on the side from which alone she could be assaulted, and would even enable her to make inroads on Philip's dominions, both in Europe and the Indies: that a war which was necessary could never be unjust; and self-defence was concerned, as well in preventing certain dangers at a distance, as in repelling any immediate invasion: and that, since hostility with Spain was the unavoidable consequence of the present interests and situations of the two monarchies, it were better to compensate that danger and loss by the acquisition of such important provinces to the English empire.⁵⁵

Amidst these opposite counsels, the queen, apprehensive of the consequences attending each extreme, was inclined to steer a middle course; and though such conduct is seldom prudent, she was not, in this resolution, guided by any prejudice or mistaken affection. She was determined, not to permit, without opposition, the total subjection of the revolted provinces, whose interests she deemed so closely connected with her own: but foreseeing that the acceptance of their sovereignty would oblige her to employ her whole force in their defence, would give umbrage to her neighbours, and would expose her to the reproach of ambition and usurpation, imputations which hitherto she had carefully avoided, she immediately rejected this offer. She concluded a

league with the States on the following conditions: that she should send over an army to their assistance, of five thousand foot and a thousand horse, and pay them during the war; that the general, and two others whom she should appoint, should be admitted into the council of the States; that neither party should make peace without the consent of the other; that her expences should be refunded after the conclusion of the war; and that the towns of Flushing and the Brille, with the castle of Rammekins, should, in the meantime, be consigned into her hands by way of security.

The queen knew that this measure would immediately engage her in open hostilities with Philip; yet was not she terrified with the view of the present greatness of that monarch. The continent of Spain was at that time rich and populous; and the late addition of Portugal, besides securing internal tranquillity, had annexed an opulent kingdom to Philip's dominions, had made him master of many settlements in the East Indies, and of the whole commerce of those regions, and had much increased his naval power, in which he was before chiefly deficient. All the princes of Italy, even the pope and the court of Rome, were reduced to a kind of subjection under him, and seemed to possess their sovereignty on terms somewhat precarious. The Austrian branch in Germany, with their dependent principalities, was closely connected with him, and was ready to supply him with troops for every enterprise. All the treasures of the West Indies were in his possession; and the present scarcity of the precious metals in every country of Europe, rendered the influence of his riches the more forcible and extensive. The Netherlands seemed on the point of relapsing into servitude; and small hopes were entertained of their withstanding those numerous and veteran armies, which under the command of the most experienced generals, he employed against them. Even France, which was wont to counterbalance the Austrian greatness, had lost all her force from intestine commotions; and as the catholics, the ruling party, were closely connected with him, he rather expected thence an augmentation than a diminution of his power. Upon the whole, such prepossessions were every where entertained concerning the force of the Spanish monarchy, that the king of Sweden, when he heard that Elizabeth had openly embraced the defence of the revolted Flemings, scrupled not to say, that she had now taken the diadem from her head, and had ventured it upon the doubtful chance of war.⁵⁶ Yet was this princess rather cautious than enterprising in her natural temper: she needed more to be impelled by the vigour, than restrained by the prudence of her ministers: but when she saw an evident necessity, she braved danger with magnanimous courage; and trust-

ing to her own consummate wisdom, and to the affections, however divided, of her people, she prepared herself to resist and even to assault the whole force of the catholic monarch.

The earl of Leicester was sent over to Holland, at the head of the English auxiliary forces. He carried with him a splendid retinue; being accompanied by the young earl of Essex, his son-in-law, the lords Audley and North, sir William Russel, sir Thomas Shirley, sir Arthur Basset, sir Walter Waller, sir Gervase Clifton, and a select troop of five hundred gentlemen. He was received on his arrival at Flushing by his nephew sir Philip Sidney, the governor; and every town through which he passed expressed their joy by acclamations and triumphal arches, as if his presence and the queen's protection had brought them the most certain deliverance. The States, desirous of engaging Elizabeth still farther in their defence, and knowing the interest which Leicester possessed with her, conferred on him the title of governor and captain-general of the United Provinces, appointed a guard to attend him, and treated him in some respects as their sovereign. But this step had a contrary effect to what they expected. The queen was displeased with the artifice of the States, and the ambition of Leicester. She severely reprimanded both; and it was with some difficulty, that after many humble submissions they were able to appease her.

HOSTILITIES WITH SPAIN.

AMERICA was regarded as the chief source of Philip's power, as well as the most defenceless part of his dominions; and Elizabeth, finding that an open breach with that monarch was unavoidable, resolved not to leave him unmolested in that quarter. The great success of the Spaniards and Portuguese in both Indies had excited a spirit of emulation in England; and as the progress of commerce, still more that of colonies, is slow and gradual, it was happy that a war in this critical period had opened a more flattering prospect to the avarice and ambition of the English, and had tempted them, by the view of sudden and exorbitant profit, to engage in naval enterprises. A fleet of twenty sail was equipped to attack the Spaniards in the West Indies: two thousand three hundred volunteers, besides seamen, engaged on board it; sir Francis Drake was appointed admiral; Christopher Carlisle commander of the land forces. They took St. Jago, near Cape Verde, by surprise; and found in it plenty of provisions, but no riches. They sailed to Hispaniola (Jan. 1586); and easily making themselves masters of St. Domingo by assault, obliged the inhabitants to ransom their houses by a sum of money. Carthagená fell next into their hands after some more resistance, and

was treated in the same manner. They burned St. Anthony and St. Helena, two towns on the coast of Florida. Sailing along the coast of Virginia, they found the small remains of a colony which had been planted there by sir Walter Raleigh, and which had gone extremely to decay. This was the first attempt of the English to form such settlements; and though they have since surpassed all European nations, both in the situation of their colonies and in the noble principles of liberty and industry, on which they are founded; they had here been so unsuccessful, that the miserable planters abandoned their settlements, and prevailed on Drake to carry them with him to England. He returned with so much riches as encouraged the volunteers, and with such accounts of the Spanish weakness in those countries, as served extremely to inflame the spirits of the nation to future enterprises. The great mortality which the climate had produced in his fleet was, as is usual, but a feeble restraint on the avidity and sanguine hopes of young adventurers.⁵⁷ It is thought that Drake's fleet first introduced the use of tobacco into England.

The enterprises of Leicester were much less successful than those of Drake. This man possessed neither courage nor capacity equal to the trust reposed in him by the queen; and as he was the only bad choice she made for any considerable employment, men naturally believed that she had here been influenced by an affection still more partial than that of friendship. He gained at first some advantage in an action against the Spaniards; and threw succours into Grave, by which that place was enabled to make a vigorous defence: but the cowardice of the governor, Van Hemert, rendered all these efforts useless. He capitulated after a feeble resistance; and being tried for his conduct, suffered a capital punishment from the sentence of a court-martial. The prince of Parma next undertook the siege of Venlo, which was surrendered to him after some resistance. The fate of Nuys was more dismal; being taken by assault while the garrison was treating of a capitulation. Rhinberg, which was garrisoned by twelve hundred English, under the command of colonel Morgan, was afterwards besieged by the Spaniards; and Leicester, thinking himself too weak to attempt raising the siege, endeavoured to draw off the prince of Parma by forming another enterprise. He first attacked Doesburg, and succeeded: he then sat down before Zutphen, which the Spanish general thought so important a fortress that he hastened to its relief. He made the marquis of Guesno advance with a convoy, which he intended to throw into the place. They were favoured by a fog; but falling by accident on a body of English cavalry, a furious action ensued, in which the Spaniards were worsted, and the marquis of

Gonzaga, an Italian nobleman of great reputation and family, was slain. The pursuit was stopped by the advance of the prince of Parma with the main body of the Spanish army; and the English cavalry, on their return from the field, found their advantage more than compensated by the loss of sir Philip Sidney, who, being mortally wounded in the action, was carried off by the soldiers, and soon after died. This person is described by the writers of that age as the most perfect model of an accomplished gentleman that could be formed even by the wanton imagination of poetry or fiction. Virtuous conduct, polite conversation, heroic valour, and elegant erudition, all concurred to render him the ornament and delight of the English court; and as the credit which he possessed with the queen and the earl of Leicester was wholly employed in the encouragement of genius and literature, his praises have been transmitted with advantage to posterity. No person was so low as not to become an object of his humanity. After this last action, while he was lying on the field mangled with wounds, a bottle of water was brought him to relieve his thirst; but observing a soldier near him in a like miserable condition, he said; *This man's necessity is still greater than mine*; and resigned to him the bottle of water. The king of Scots, struck with admiration of Sidney's virtue, celebrated his memory in a copy of Latin verses, which he composed on the death of that young hero.

The English, though a long peace had deprived them of all experience, were strongly possessed of military genius; and the advantages gained by the prince of Parma were not attributed to the superior bravery and discipline of the Spaniards, but solely to the want of military abilities in Leicester. The States were much discontented with his management of the war; still more with his arbitrary and imperious conduct, and at the end of the campaign they applied to him for a redress of all their grievances. But Leicester, without giving them any satisfaction, departed soon after for England.⁵⁸

The queen, while she provoked so powerful an enemy as the king of Spain, was not forgetful to secure herself on the side of Scotland; and she endeavoured both to cultivate the friendship and alliance of her kinsman, James, and to remove all grounds of quarrel between them. An attempt which she had made some time before was not well calculated to gain the confidence of that prince. She had dispatched Wotton as her ambassador to Scotland; but though she gave him private instructions with regard to her affairs, she informed James, that when she had any political business to discuss with him, she would employ another minister; that this man was not fitted for serious negotiations; and that her chief purpose in sending

him was to entertain the king with witty and facetious conversation, and to partake without reserve of his pleasures and amusements. Wotton was master of profound dissimulation, and knew how to cover, under the appearance of a careless gaiety, the deepest design, and most dangerous artifices. When but a youth of twenty, he had been employed by his uncle, Dr. Wotton, ambassador in France during the reign of Mary, to ensnare the constable, Montmorency; and had not his purpose been frustrated by pure accident, his cunning had prevailed over all the anti-^{id} experience of that aged minister. It is no wonder that, after years had improved him in all the arts of deceit, he should gain an ascendant over a young prince of so open and unguarded a temper as James; especially when the queen's recommendation prepared the way for his reception. He was admitted into all the pleasures of the king; made himself master of his secrets; and had so much the more authority with him in political transactions, as he did not seem to pay the least attention to these matters. The Scottish ministers, who observed the growing interest of this man, endeavoured to acquire his friendship; and scrupled not to sacrifice to his intrigues the most essential interests of their master. Elizabeth's usual jealousies with regard to her heirs began now to be levelled against James; and as that prince had attained the years proper for marriage, she was apprehensive lest, by being strengthened with children and alliances, he should acquire the greater interest and authority with her English subjects. She directed Wotton to form a secret conceit with some Scottish noblemen, and to procure their promise that James, during three years, should not on any account be permitted to marry. In consequence of this view, they endeavoured to embroil him with the king of Denmark, who had sent ambassadors to Scotland on pretence of demanding restitution of the Orkneys, but really with a view of opening a proposal of marriage between James and his daughter. Wotton is said to have employed his intrigues to purposes still more dangerous. He formed, it is pretended, a conspiracy with some malcontents, to seize the person of the king, and to deliver him into the hands of Elizabeth, who would probably have denied all concurrence in the design, but would have been sure to retain him in perpetual thralldom, if not captivity. The conspiracy was detected, and Wotton fled hastily from Scotland, without taking leave of the king.⁵⁹

James's situation obliged him to dissemble his resentment of this traitorous attempt, and his natural temper inclined him soon to forgive and forget it. The queen found no difficulty in renewing the negotiations for a strict alliance between Scotland and England; and the more effectually to gain the prince's friend-

ship, she granted him a pension equivalent to his claim on the inheritance of his grandmother, the countess of Lenox, lately deceased.⁶⁰ A league was formed between Elizabeth and James, for the mutual defence of their dominions, and of their religion, now menaced by the open combination of all the catholic powers of Europe. It was stipulated, that if Elizabeth were invaded, James should aid her with a body of two thousand horse and five thousand foot; that Elizabeth, in a like case, should send to his assistance three thousand horse and six thousand foot; that the charge of these armies should be defrayed by the prince who demanded assistance; that if the invasion should be made upon England, within sixty miles of the frontiers of Scotland, this latter kingdom should march its whole force to the assistance of the former; and that the present league should supersede all former alliances of either state with any foreign kingdom, so far as religion was concerned.⁶¹

By this league James secured himself against attempts from abroad, opened a way for acquiring the confidence and affections of the English, and might entertain some prospect of domestic tranquillity, which, while he lived on bad terms with Elizabeth, he could never expect long to enjoy. Besides the turbulent disposition and inveterate feuds of the nobility, ancient maladies of the Scottish government, the spirit of fanaticism had introduced a new disorder; so much the more dangerous, as religion, when corrupted by false opinion, is not restrained by any rules of morality, and is even scarcely to be accounted for in its operations by any principles of ordinary conduct and policy. The insolence of the preachers, who triumphed in their dominion over the populace, had at this time reached an extreme height; and they carried their arrogance so far, not only against the king, but against the whole civil power, that they excommunicated the archbishop of St. Andrew's, because he had been active in parliament for promoting a law which restrained their seditious sermons;⁶² nor could that prelate save himself by any expedient from this terrible sentence, but by renouncing all pretensions to ecclesiastical authority. One Gibson said in the pulpit, that captain James Stuart (meaning the late earl of Arran) and his wife Jezebel had been deemed the chief persecutors of the church; but it was now seen that the king himself was the great offender: and for this crime the preacher denounced against him the curse which fell on Jeroboam, that he should die childless, and be the last of his race.⁶³

The secretary Thirlstone, perceiving the king so much molested with ecclesiastical affairs, and with the refractory disposition of the clergy, advised him to leave them to their

own courses: for that in a short time they would become so intolerable, that the people would rise against them, and drive them out of the country. "True," replied the king: "if I purposed to undo the church and religion, your counsel were good: but my intention is to maintain both; therefore cannot I suffer the clergy to follow such a conduct, as will in the end bring religion into contempt and derision." 64

NOTES.

- 1 Digges, p. 412. 428. Melvil, p. 130.
- 2 Spotswood, p. 309.
- 3 Spotswood, p. 314. Crawford, p. 333. *Moyac's Memoirs*, p. 54.
- 4 Spotswood, p. 319.
- 5 Digges, p. 319. 370.
- 6 Camden, p. 475. Cox's Hist. of Ireland, p. 366.
- 7 Camden, p. 478. Stowe, p. 689.
- 8 Camden, p. 478. Hakluyt's Voyages, vol. iii. p. 730. 748. Purchas's Pilgrims, vol. i. p. 46.
- 9 Camden, p. 180.
- 10 Eliz. cap. 1.
- 11 Eliz. cap. 2.
- 12 D'Ewes, p. 302.
- 13 D'Ewes, p. 281, 285.
- 14 Camden, p. 177.
- 15 Camden, p. 471.
- 16 Camden, p. 471.
- 17 Camden, p. 484.
- 18 Digges, p. 387. 396. 408. 426.
- 19 Digges, p. 392.
- 20 Digges, p. 375. 591.
- 21 Digges, p. 392.
- 22 Digges, p. 408.
- 23 Digges, p. 377. 387. 388. 400. 426. 430. Rymer, tom. i. p. 793.
- 24 Camden, p. 486. *Thun in lib lxxiv*.
- 25 Camden, p. 486.
- 26 *Letters of the Sidneys*, vol. i. p. 187, et seq. Cubala, p. 36d.
- 27 Camden, p. 486.
- 28 Spotswood, p. 319.
- 29 Spotswood, p. 320.
- 30 Spotswood, p. 322.
- 31 *Hylm's Hist. Presbyter.* p. 227. Spotswood.
- 32 Spotswood, p. 328.
- 33 Spotswood, p. 324.
- 34 Camden, p. 189d.
- 35 Jebb, vol. ii. p. 510.
- 36 MS. in the Advocates' Library. A 3 28. p. 401, from the Cott. Lib. Calig. c. 9.
- 37 Spotswood, p. 323, 326, et seq.
- 38 Melvil, p. 140, 141. Strype, vol. iii. p. 167.
- 39 Melvil, p. 118. Jebb, vol. ii. p. 530.
- 40 Spotswood, p. 334.
- 41 Spotswood, p. 331.
- 42 Camden, p. 189.
- 43 Strype, vol. iii. p. 246.
- 44 *State Trials*, vol. i. p. 122, 123.
- 45 27 Eliz. cap. 1.
- 46 27 Eliz. cap. 2.
- 47 Some even of those who defend the queen's measures allow, that in ten years fifty priests were executed, and fifty-five banished. Camden, p. 619.
- 48 Besides the petition after mentioned, another proof of the prevalence of the puritans among the commons was their passing a bill for the reverent observance of Sunday, which they termed the Sabbath, and the depriving the people of those amusements which they were accustomed to take on that day. D'Ewes, p. 315. It was a strong symptom of a contrary spirit in the upper house, that they proposed to add Wednesday to the fast days, and to prohibit entirely the eating of flesh on that day. D'Ewes, p. 373.
- 49 D'Ewes, p. 357.
- 50 Neal's History of the Puritans, vol. i. p. 410.
- 51 Rymer, vol. xvi. p. 292. 396. 400.
- 52 *State Trials*, vol. i. p. 103, et seq. Strype, vol. iii. p. 255, et seq.
- 53 Camden, p. 425.
- 54 Camden, p. 507. Bentivoglio, part 2. lib. iv.
- 55 Camden, p. 507. Bentivoglio, part 2. lib. iv.
- 56 Camden, p. 508.
- 57 Camden, p. 509.
- 58 Camden, p. 512. Bentivoglio, part 2. lib. iv.
- 59 Melvil.
- 60 Spotswood, p. 351.
- 61 Spotswood, p. 319. Camden, p. 513.
- 62 Rymer, tom. xv. p. 803.
- 63 Spotswood, p. 345, 346.
- 64 Spotswood, p. 344.
- 65 Spotswood, p. 348.

CHAPTER XLII.

Zeal of the Catholics.—Babington's Conspiracy.—Mary assents to the Conspiracy.—The conspirators seized and executed.—Resolution to try the Queen of Scots.—The Commissioners prevail on her to submit to the Trial.—The Trial.—Sentence against Mary.—Interposition of King James.—Reasons for the Execution of Mary.—The Execution.—Mary's Character. The Queen's affected Sorrow.—Drake destroys the Spanish Fleet at Cadiz.—Philip projects the Invasion of England.—The Invincible Armada.—Preparations in England.—The Armada arrives in the Channel.—Defeated.—A Parliament.—Expedition against Portugal.—Affairs of Scotland.

THE dangers which arose from the character, principles, and pretensions of the queen of Scots, had very early engaged Elizabeth to consult, in her treatment of that unfortunate princess, the dictates of jealousy and politics, rather than of friendship or generosity: resentment of this usage had pushed Mary into enterprises which had nearly threatened the repose and authority of Elizabeth: the rigour and restraint, thence redoubled upon the captive queen,¹ still impelled her to attempt greater extremities; and while her impatience of confinement, her revenge, [See note F, at the end of this Vol.] and her high spirit, concurred with religious zeal, and the suggestions of desperate bigots, she was at last engaged in designs which afforded her enemies, who watched the opportunity, a pretence or reason for effecting her final ruin.

ZEAL OF THE CATHOLICS.

THE English seminary at Rheims had wrought themselves up to a high pitch of rage and animosity against the queen. The recent persecutions from which they had escaped; the new rigours which they knew awaited them in the course of their missions; the liberty which at present they enjoyed of declaiming against that princess; and the contagion of that religious fury which every where surrounded them in France: all these causes had obliterated with them every maxim of common sense, and every principle of morals or humanity. Intoxicated with admiration of the divine power and infallibility of the pope, they revered his bull, by which he excommunicated and deposed the queen; and some of them had gone to that height of extravagance as to assert, that that performance had been immediately dictated by the Holy Ghost. The assassination of heretical sovereigns, and of that princess in particular, was represented as the most meritorious of all enterprises; and they taught that whoever perished in such pious attempts, enjoyed without dispute the

glorious and never-fading crown of martyrdom. By such doctrines they instigated John Savage, a man of desperate courage, who had served some years in the Low Countries under the prince of Parma, to attempt the life of Elizabeth; and this assassin having made a vow to persevere in his design, was sent over to England and recommended to the confidence of the more zealous catholics.

About the same time, John Ballard, a priest of that seminary, had returned to Paris from his mission in England and Scotland; and as he had observed a spirit of mutiny and rebellion to be very prevalent among the catholic devotees in these countries, he had founded on that disposition the project of dethroning Elizabeth, and of restoring by force of arms the exercise of the ancient religion.² The situation of affairs abroad seemed favourable to this enterprise: the pope, the Spaniard, the duke of Guise, concurring in interests, had formed a resolution to make some attempt against England: and Mendoza, the Spanish ambassador at Paris, strongly encouraged Ballard to hope for succours from these princes. Charles Paget alone, a zealous catholic, and a devoted partisan of the queen of Scots, being well acquainted with the prudence, vigour, and general popularity of Elizabeth, always maintained that so long as that princess was allowed to live, it was in vain to expect any success from an enterprise upon England. Ballard, persuaded of this truth, saw more clearly the necessity of executing the design formed at Rheims: he came over to England in the disguise of a soldier, and assumed the name of captain Fortescue: and he bent his endeavours to effect at once the project of an assassination, an insurrection, and an

BABINGTON'S CONSPIRACY.

THE first person to whom he addressed himself was Antony Babington, of Dethic, in the county of Derby. This young gentleman was of a good family, possessed a plentiful fortune,

had discovered an excellent capacity, and was accomplished in literature beyond most of his years or station. Being zealously devoted to the catholic communion, he had secretly made a journey to Paris some time before; and had fallen into intimacy with Thomas Midgan, a bigoted fugitive from England, and with the bishop of Glasgow, Mary's ambassador at the court of France. By continually extolling the amiable accomplishments and heroic virtues of that princess, they impelled the sanguine and unguarded mind of young Babington to make some attempt for her service; and they employed every principle of ambition, gallantry, and religious zeal, to give him a contempt of those dangers which attended any enterprise against the vigilant government of Elizabeth. Finding him well disposed for their purpose, they sent him back to England, and secretly, unknown to himself, recommended him to the queen of Scots, as a person worth engaging in her service. She wrote him a letter full of friendship and confidence; and Babington, ardent in his temper, and zealous in his principles, thought that these advances now bound him in honour to devote himself entirely to the service of that unfortunate princess. During some time, he had found means of conveying to her all her foreign correspondence; but after she was put under the custody of sir Amias Paulet, and reduced to a more rigorous confinement, he experienced so much difficulty and danger in rendering her this service, that he had desisted from every attempt of that nature.

When Ballard began to open his intentions to Babington, he found his zeal suspended, not extinguished: his former ardour revived on the mention of any enterprise which seemed to promise success in the cause of Mary and of the catholic religion. He had entertained sentiments conformable to those of Paget, and represented the folly of all attempts which, during the lifetime of Elizabeth, could be formed against the established religion and government of England. Ballard, encouraged by this hint, proceeded to discover to him the design undertaken by Savage;⁴ and was pleased to observe, that, instead of being shocked with the project, Babington only thought it not secure enough, when intrusted to one single hand, and proposed to join five others with Savage in this desperate enterprise.

In prosecution of these views, Babington employed himself in increasing the number of his associates; and he secretly drew into the conspiracy many catholic gentlemen discontented with the present government. Barnwel, of a noble family in Ireland, Charnoc, a gentleman of Lancashire, and Abington, whose father had been cofferer to the household, readily undertook the assassination of the queen. Charles Tilney, the heir of an ancient family,

and Tichborne of Southampton, when the design was proposed to them, expressed some scruples, which were removed by the arguments of Babington and Ballard. Savage alone refused, during some time, to share the glory of the enterprise with any others; he challenged the whole to himself; and it was with some difficulty he was induced to depart from this preposterous ambition.

The deliverance of the queen of Scots at the very same instant when Elizabeth should be assassinated, was requisite for effecting the purpose of the conspirators; and Babington undertook, with a party of a hundred horse, to attack her guards while she should be taking the air on horseback. In this enterprise he engaged Edward Windsor, brother to the lord of that name, Thomas Salisbury, Robert Gage, John Travers, John Jones, and Henry Dome; most of them men of family and interest. The conspirators much wanted, but could not find, any nobleman of note whom they might place at the head of the enterprise; but they trusted that the great events of the queen's death and Mary's deliverance would rouse all the zealous catholics to arms; and that foreign forces, taking advantage of the general confusion, would easily fix the queen of Scots on the throne, and re-establish the ancient religion.

These desperate projects had not escaped the vigilance of Elizabeth's council, particularly of Walsingham, secretary of state. That artful minister had engaged Mauld, a catholic priest, whom he retained in pay, to attend Ballard in his journey to France, and had thereby got a hint of the designs entertained by the fugitives. Polly, another of his spies, had found means to insinuate himself among the conspirators in England; and though not entirely trusted, had obtained some insight into their dangerous secrets. But the bottom of the conspiracy was never fully known till Gifford, a seminary priest, came over, and made a tender of his services to Walsingham. By his means the discovery became of the utmost importance, and involved the fate of Mary, as well as of those zealous partisans of that princess.

Babington and his associates, having laid such a plan as they thought promised infallible success, were impatient to communicate the design to the queen of Scots, and to obtain her approbation and concurrence. For this service they employed Gifford, who immediately applied to Walsingham, that the interest of that minister might forward his secret correspondence with Mary. Walsingham proposed the matter to Paulet, and desired him to connive at Gifford's corrupting one of his servants: but Paulet, averse to the introducing of such a pernicious precedent into his family, desired that they would rather think of some other expedient. Gifford found a brewer, who

supplied the family with ale; and bribed him to convey letters to the captive queen. The letters, by Paulet's contrivance, were thrust through a chink in the wall; and answers were returned by the same conveyance.

Ballard and Babington were at first diffident of Gifford's fidelity; and to make trial of him, they gave him only blank papers made up like letters: but finding by the answers that these had been faithfully delivered, they laid aside all farther scruple, and conveyed by his hands the most criminal and dangerous parts of their conspiracy.

MARY ASSENTS TO THE CONSPIRACY.

BABINGTON informed Mary of the design laid for a foreign invasion, the plan of an insurrection at home, the scheme for her deliverance, and the conspiracy for assassinating the usurper, by six noble gentlemen, as he termed them, all of them his private friends; who, from the zeal which they bore to the catholic cause, and her majesty's service, would undertake the *tragical execution*. Mary replied, that she approved highly of the design; that the gentlemen might expect all the rewards which it should ever be in her power to confer; and that the death of Elizabeth was a necessary circumstance, before any attempts were made, either for her own deliverance or an insurrection.⁶ These letters, with others to Mendoza, Charles Paget, the archbishop of Glasgow, and sir Francis Inglesfield, were carried by Gifford to secretary Walsingham; were decyphered by the art of Philips, his clerk, and copies taken of them. Walsingham employed another artifice, in order to obtain full insight into the plot: he subjoined to a letter of Mary's a postscript in the same cypher, in which he made her desire Babington to inform her of the names of the conspirators. The indiscretion of Babington furnished Walsingham with still another means of detection as well as of defence. That gentleman had caused a picture to be drawn, where he himself was represented standing amidst the six assassins; and a motto was subjoined, expressing that their common perils were the band of their confederacy. A copy of this picture was brought to Elizabeth, that she might know the assassins, and guard herself against their approach to her person.

Meanwhile, Babington, anxious to ensure and hasten the foreign succours, resolved to dispatch Ballard into France; and he procured for him, under a feigned name, a licence to travel. In order to remove from himself all suspicion, he applied to Walsingham, pretended great zeal for the queen's service, offered to go abroad, and professed his intentions of employing the confidence which he had gained among the catholics, to the detection

and disappointment of their conspiracies. Walsingham commended his loyal purposes; and promising his own council and assistance in the execution of them, still fed him with hopes, and maintained a close correspondence with him. A warrant, meanwhile, was issued for seizing Ballard; and this incident, joined to the consciousness of guilt, begat in all the conspirators the utmost anxiety and concern. Some advised that they should immediately make their escape: others proposed that Savage and Sharnoe should without delay execute their purpose against Elizabeth; and Babington, in prosecution of this scheme, furnished Savage with money, that he might buy good clothes, and thereby have more easy access to the queen's person. Next day they began to apprehend that they had taken the alarm too hastily; and Babington having renewed his correspondence with Walsingham, was persuaded by that subtle minister, that the seizure of Ballard had proceeded entirely from the usual diligence of informers in the detection of popish and seminary priests. He even consented to take lodgings secretly in Walsingham's house, that they might have more frequent conferences together, before his intended departure for France: but observing that he was watched and guarded, he made his escape, and gave the alarm to the other conspirators.

THE CONSPIRATORS SEIZED AND EXECUTED.

THEY all took to flight, covered themselves with several disguises, and lay concealed in woods or barns; but were soon discovered, and thrown into prison. In their examinations they contradicted each other; and the leaders were obliged to make a full confession of the truth. Fourteen were condemned and executed: of whom seven acknowledged the crime on their trial; the rest were convicted by evidence.

The lesser conspirators being dispatched, measures were taken for the trial and conviction of the queen of Scots, on whose account and with whose concurrence these attempts had been made against the life of the queen, and the tranquillity of the kingdom. Some of Elizabeth's counsellors were averse to this procedure; and thought, that the close confinement of a woman who was become very sickly, and who would probably put a speedy period to their anxiety by her natural death, might give sufficient security to the government, without attempting a measure of which there scarcely remains any example in history. Leicester advised that Mary should be secretly dispatched by poison; and he sent a divine to convince Walsingham of the lawfulness of that action: but Walsingham declared his

abhorrence of it; and still insisted, in conjunction with the majority of the counsellors, for the open trial of the queen of Scots. The situation of England, and of the English ministers, had, indeed, been hitherto not a little dangerous. No successor of the crown was declared; but the heir of blood, to whom the people in general were likely to adhere, was, by education, an enemy to the national religion; was, from multiplied provocations, an enemy to the ministers, and principal nobility; and their personal safety, as well as the safety of the public, seemed to depend alone on the queen's life, who was now somewhat advanced in years. No wonder, therefore, that Elizabeth's counsellors, knowing themselves to be so obnoxious to the queen of Scots, endeavoured to push every measure to extremities against her; and were even more anxious than the queen herself, to prevent her from ever mounting the throne of England.

Though all England was acquainted with the detection of Babington's conspiracy, every avenue to the queen of Scots had been so strictly guarded, that she remained in utter ignorance of the matter; and it was a great surprise to her, when sir Thomas Gorges, by Elizabeth's orders, informed her, that all her accomplices were discovered and arrested. He chose the time for giving her this intelligence when she was mounted on horseback to go a hunting; and she was not permitted to return to her former place of abode, but was conducted from one gentleman's house to another, till she was lodged in Fotheringay castle in the county of Northampton, which it was determined to make the last stage of her trial and sufferings. Her two secretaries, Nau, a Frenchman, and Curle, a Scot, were immediately arrested: all her papers were seized, and sent up to the council: above sixty different keys to cyphers were discovered: there were also found many letters from persons beyond sea, and several too from English noblemen, containing expressions of respect and attachment. The queen took no notice of this latter discovery; but the persons themselves, knowing their correspondence to be detected, thought that they had no other means of making atonement for their imprudence, than by declaring themselves thenceforth the most inveterate enemies of the queen of Scots.⁷

RESOLUTION TO TRY THE QUEEN OF SCOTS.

It was resolved to try Mary, not by the common statute of treasons, but by the act which had passed the former year with a view to this very event; and the queen, in terms of that act, appointed a commission, consisting of forty noblemen and privy-counsellors, and empowered them to examine and pass sen-

tence on Mary, whom she denominated the late queen of Scots, and heir to James V. of Scotland. The commissioners came to Fotheringay castle, and sent to her sir Walter Mildmay, sir Amias Paulet, and Edward Barker, who delivered her a letter from Elizabeth, informing her of the commission, and of the approaching trial. Mary received the intelligence without emotion or astonishment. She said, however, that it seemed strange to her, that the queen should command her, as a subject, to submit to a trial and examination before subjects: that she was an absolute independent princess, and would yield to nothing which might derogate either from her royal majesty, from the state of sovereign princess, or from the dignity and rank of her son: that, however oppressed by misfortunes, she was not yet so much broken in spirit as her enemies flattered themselves; nor would she, on any account, be accessory to her own degradation and dishonour: that she was ignorant of the laws and statutes of England; was utterly destitute of counsel; and could not conceive who were entitled to be called her peers, or could legally sit as judges on her trial: that though she had lived in England for many years, she had lived in captivity; and not having received the protection of the laws, she could not, merely by her involuntary residence in the country, be supposed to have subjected herself to their jurisdiction: that, notwithstanding the superiority of her rank, she was willing to give an account of her conduct before an English parliament; but could not view these commissioners in any other light than as men appointed to justify, by some colour of legal proceeding, her condemnation and execution: and that she warned them to look to their conscience and their character, in trying an innocent person; and to reflect, that these transactions would somewhere be subject to revisal, and that the theatre of the whole world was much wider than the kingdom of England.

THE COMMISSIONERS PREVAIL ON HER TO SUBMIT TO THE TRIAL.

In return, the commissioners sent a new deputation, informing her that her plea, either from her royal dignity, or from her imprisonment, could not be admitted; and that they were empowered to proceed to her trial, even though she should refuse to answer before them. Burleigh the treasurer, and Bromley the chancellor, employed much reasoning to make her submit; but the person whose arguments had the chief influence was sir Christopher Hatton, vice-chamberlain. His speech was to this purpose: "You are accused, madam," said he, "but not condemned, of having conspired the destruction of our lady

and queen anointed. You say you are a queen: but in such a crime as this, and such a situation as yours, the royal dignity itself, neither by the civil or canon law, nor by the law of nature or of nations, is exempt from judgment. If you be innocent, you wrong your reputation in avoiding a trial. We have been present at your protestations of innocence: but queen Elizabeth thinks otherwise; and is heartily sorry for the appearances which lie against you. To examine, therefore, your cause, she has appointed commissioners; honourable persons, prudent and upright men, who are ready to hear you with equity, and even with favour, and will rejoice if you can clear yourself of the imputations which have been thrown upon you. Believe me, madam, the queen herself will rejoice, who affirmed to me at my departure, that nothing which ever befel her had given her so much uneasiness, as that you should be suspected of a concurrence in these criminal enterprises. Laying aside, therefore, the fruitless claim of privilege from your royal dignity, which can now avail you nothing, trust to the better defence of your innocence, make it appear in open trial, and leave not upon your memory that stain of infamy which must attend your obstinate silence on this occasion."⁸

By this artful speech Mary was persuaded to answer before the court; and thereby gave an appearance of legal procedure to the trial, and prevented those difficulties which the commissioners must have fallen into, had she persevered in maintaining so specious a plea as that of her sovereign and independent character. Her conduct in this particular must be regarded as the more imprudent; because formerly, when Elizabeth's commissioners pretended not to exercise any jurisdiction over her, and only entered into her cause by her own consent and approbation, she declined justifying herself, when her honour, which ought to have been dearer to her than life, seemed absolutely to require it.

THE TRIAL.

On her first appearance before the commissioners, Mary, either sensible of her imprudence, or still unwilling to degrade herself by submitting to a trial, renewed her protestation against the authority of her judges: the chancellor answered her by pleading the supreme authority of the English laws over every one who resided in England, and the commissioners accumulated matters, by ordering both her protestation and his answer to be recorded.

The lawyers of the crown then opened the charge against the queen of Scots. They proved, by intercepted letters, that she had allowed cardinal Allen and others to treat her as queen of England, and that she had kept a correspondence with lord Paget and Charles

Paget, in view of engaging the Spaniards to invade the kingdom. Mary seemed not anxious to clear herself from either of these imputations. She only said, that she could not hinder others from using what style they pleased in writing to her; and that she might lawfully try every expedient for the recovery of her liberty.

An intercepted letter of her's to Mendoza was next produced; in which she promised to transfer to Philip her right to the kingdom of England, if her son should refuse to be converted to the catholic faith, an event, she there said, of which there was no expectation while he remained in the hands of his Scottish subjects.⁹ Even this part of the charge she took no pains to deny, or rather she seemed to acknowledge it. She said, that she had no kingdoms to dispose of; yet was it lawful for her to give at her pleasure what was her own, and she was not accountable to any for her actions. She added, that she had formerly rejected that proposal from Spain; but now, since all her hopes in England were gone, she was fully determined not to refuse foreign assistance. There was also produced evidence to prove, that Allen and Parsons were at that very time negotiating by her orders at Rome the conditions of transferring her English crown to the king of Spain, and of disinheriting her heretical son. [*See note G, at the end of this Vol.*]

It is remarkable that Mary's prejudices against her son were at this time carried so far, that she had even entered into a conspiracy against him, had appointed lord Claud Hamilton regent of Scotland, and had instigated her adherents to seize James's person, and deliver him into the hands of the pope, or the king of Spain; whence he was never to be delivered, but on condition of his becoming catholic. [*See note H, at the end of this Vol.*]

The only part of the charge which Mary positively denied, was her concurrence in the design of assassinating Elizabeth. This article, indeed, was the most heavy, and the only one that could fully justify the queen in proceeding to extremities against her. In order to prove the accusation, there were produced the following

Walsingham's office of the intercepted letters between her and Babington, in which her approbation of the murder was clearly expressed; the evidence of her two secretaries, Nru and Curle, who had confessed, without being put to any torture, both that she received these letters from Babington, and that they had written the answers by her order; the confession of Babington, that he had written the letters and received the answers,¹⁰ and the confession of Ballard and Savage, that Babington had showed them these letters of Mary written in the cypher, which had been settled between them.

It is evident, that this complication of evidence, though every circumstance corroborates the general conclusion, resolves itself finally into the testimony of the two secretaries, who alone were certainly acquainted with their mistress's concurrence in Babington's conspiracy, but who knew themselves exposed to all the rigours of imprisonment, torture, and death, if they refused to give any evidence which might be required of them. In the case of an ordinary criminal, this proof, with all its disadvantages, would be esteemed legal and even satisfactory, if not opposed by some other circumstances which shake the credit of the witnesses: but on the present trial, where the absolute power of the prosecutor concurred with such important interests, and such a violent inclination to have the princess condemned; the testimony of two witnesses, even though men of character, ought to be supported by strong probabilities, in order to remove all suspicion of tyranny and injustice. The proof against Mary, it must be confessed, is not destitute of this advantage; and it is difficult, if not impossible, to account for Babington's receiving an answer, written in her name, and in the cypher concerted between them, without allowing that the matter had been communicated to that princess. Such is the light in which this matter appears, even after time has discovered every thing which could guide our judgment with regard to it: no wonder, therefore, that the queen of Scots, unassisted by counsel, and confounded by so extraordinary a trial, found herself incapable of making a satisfactory defence before the commissioners. Her reply consisted chiefly in her own denial: whatever force may be in that denial was much weakened, by her positively affirming, that she never had had any correspondence of any kind with Babington; a fact, however, of which there remains not the least question. [*See note I, at the end of this Vol.*] She asserted, that as Nau and Curle had taken an oath of secrecy and fidelity to her, their evidence against her ought not to be credited. She confessed, however, that Nau had been in the service of her uncle, the cardinal of Lorraine, and had been recommended to her by the king of France, as a man in whom she might safely confide. She also acknowledged Curle to be a very honest man, but simple, and easily imposed on by Nau. If these two men had received any letters, or had written any answers without her knowledge, the imputation, she said, could never lie on her. And she was the more inclined, she added, to entertain this suspicion against them, because Nau had, in other instances, been guilty of a like temerity, and had ventured to transact business in her name, without communicating the matter to her. [*See note K, at the end of this Vol.*]

The sole circumstance of her defence, which to us may appear to have some force, was her requiring that Nau and Curle should be confronted with her, and her affirming, that they never would to her face persist in their evidence. But that demand, however equitable, was not then supported by law in trials of high treason, and was often refused, even in other trials where the crown was prosecutor. The clause contained in an act of the 13th of the queen, was a novelty; that the species of treason there enumerated must be proved by two witnesses, confronted with the criminal. But Mary was not tried upon that act; and the ministers and crown lawyers of this reign were always sure to refuse every indulgence beyond what the strict letter of the law, and the settled practice of the courts of justice, required of them. Not to mention, that these secretaries were not probably at Fotheringay castle during the time of the trial, and could not, upon Mary's demand, be produced before the commissioners.¹¹

There passed two incidents in this trial which may be worth observing. A letter between Mary and Babington was read, in which mention was made of the earl of Arundel and his brothers: on hearing their names she broke into a sigh: "Alas," said she, "what has the noble house of the Howards suffered for my sake?" She affirmed with regard to the same letter, that it was easy to forge the hand-writing and cypher of another; she was afraid that this was too familiar a practice with Walsingham, who, she also heard, had frequently practised both against her life and her son's. Walsingham, who was one of the commissioners, rose up. He protested, that in his private capacity he had never acted any thing against the queen of Scots: in his public capacity, he owned, that his concern for his sovereign's safety had made him very diligent in searching out, by every expedient, all designs against her sacred person, or her authority. For attaining that end, he would not only make use of the assistance of Ballard or any other conspirator; he would also reward them for betraying their companions. But if he had tampered in any manner unbefitting his character and office, why did none of the late criminals, either at their trial or execution, accuse him of such practices? Mary endeavoured to pacify him, by saying that she spoke from information; and she begged him to give thenceforth no more credit to such as slandered her, than she should to such as accused him. The great character, indeed, which sir Francis Walsingham bears for probity and honour, should remove from him all suspicion of such base arts as forgery and subornation; arts which even the most corrupt ministers, in the most corrupt times, would scruple to employ.

SENTENCE AGAINST MARY. Oct. 25.

HAVING finished the trial, the commissioners adjourned from Fotheringay castle, and met in the Star Chamber at London; where, after taking the oaths of Mary's two secretaries, who voluntarily, without hope or reward, vouched the authenticity of those letters before produced, they pronounced sentence of death upon the queen of Scots, and confirmed it by their seals and subscriptions. The same day a declaration was published by the commissioners and the judges, "that the sentence did nowise derogate from the title and honour of James king of Scotland; but that he was in the same place, degree, and right, as if the sentence had never been pronounced."¹²

The queen had now brought affairs with Mary to that situation which she had long ardently desired; and had found a plausible reason for executing vengeance on a competitor, whom from the beginning of her reign she had ever equally dreaded and hated. But she was restrained from instantly gratifying her resentment, by several important considerations. She foresaw the invidious colours, in which this example of uncommon jurisdiction would be represented by the numerous partisans of Mary, and the reproach to which she herself might be exposed with all foreign princes, perhaps with all posterity. The rights of hospitality, of kindred, and of royal majesty, seemed; in one single instance, to be all violated; and this sacrifice of generosity to interest, of clemency to revenge, might appear equally unbecoming a sovereign and a woman. Elizabeth, therefore, who was an excellent hypocrite, pretended the utmost reluctance to proceed to the execution of the sentence; affected the most tender sympathy with her prisoner; displayed all her scruples and difficulties; rejected the solicitation of her courtiers and minister; and affirmed, that were she not moved by the deepest concern for her people's safety, she would not hesitate a moment in pardoning all the injuries which she herself had received from the queen of Scots.

That the voice of her people might be more audibly heard in the demand of justice upon Mary, she summoned a new parliament (29th Oct.); and she knew, both from the usual dispositions of that assembly, and from the influence of her ministers over them, that she should not want the most earnest solicitation to consent to that measure, which was so agreeable to her secret inclinations. She did not open this assembly in person, but appointed for that purpose three commissioners, Bromley the chancellor, Burleigh the treasurer, and the earl of Derby. The reason assigned for this measure was, that the queen, foreseeing that the affair of the queen of Scots would be canvassed in parliament, found her tenderness

and delicacy so much hurt by that melancholy incident, that she had not the courage to be present while it was under deliberation, but withdrew her eyes from what she could not behold without the utmost reluctance and uneasiness. She was also willing, that by this unusual precaution the people should see the danger to which her person was hourly exposed; and should thence be more strongly incited to take vengeance on the criminal, whose restless intrigues and bloody conspiracies had so long exposed her to the most imminent perils.¹³

The parliament answered the queen's expectations: the sentence against Mary was unanimously ratified by both houses; and an application was voted to obtain Elizabeth's consent to its publication and execution.¹⁴ She gave an answer ambiguous, embarrassed; full of real artifice, and seeming irresolution. She mentioned the extreme danger to which her life was continually exposed; she declared her willingness to die, did she not foresee the great calamities which would thence fall upon the nation; she made professions of the greatest tenderness to her people; she displayed the clemency of her temper, and expressed her violent reluctance to execute the sentence against her unhappy kinswoman; she affirmed, that the late law, by which that princess was tried, so far from being made to ensnare her, was only intended to give her warning beforehand, not to engage in such attempts as might expose her to the penalties with which she was thus openly menaced; and she begged them to think once again, whether it were possible to find any expedient, besides the death of the queen of Scots, for securing the public tranquillity.¹⁵ The parliament, in obedience to her commands, took the affair again under consideration; but could find no other possible expedient. They reiterated their solicitations, and entreaties, and arguments: they even remonstrated, that mercy to the queen of Scots was cruelty to them, her subjects and children: and they affirmed, that it were injustice to deny execution of the law to any individual; much more to the whole body of the people, now unanimously and earnestly suing for this pledge of her paternal care and tenderness. This second address set the pretended doubts and scruples of Elizabeth anew in agitation: she complained of her own unfortunate situation; expressed her uneasiness from their importunity; renewed the professions of affection to her people; and dismissed the committee of parliament in an uncertainty, what, after all this deliberation, might be her final resolution. [*See note L, at the end of this Vol.*]

But though the queen affected reluctance to execute the sentence against Mary, she complied with the request of parliament in pub-

lishing it by proclamation; and this act seemed to be attended with the unanimous and hearty rejoicings of the people. Lord Buckhurst, and Beale clerk of the council, were sent to the queen of Scots, and notified to her the sentence pronounced against her, its ratification by parliament, and the earnest applications made for its execution by that assembly, who thought that their religion could never, while she was alive, attain a full settlement and security. Mary was nowise dismayed at this intelligence: on the contrary, she joyfully laid hold of the last circumstance mentioned to her; and insisted, that since her death was demanded by the protestants for the establishment of their faith, she was really a martyr to her religion, and was entitled to all the merits attending that glorious character. She added, that the English had often embued their hands in the blood of their sovereigns; no wonder they exercised cruelty against her, who died not in the faith. The chamberlain Panlet her keeper received orders to take down her canopy, and to serve her no longer with the respect due to sovereign princes. He told her that she was now to be considered as a dead person; and incapable of any dignity.¹¹ This harsh treatment produced not in her any seeming emotion. She only replied, that she received her royal character from the hands of the Almighty, and no earthly power was ever able to bereave her of it.

The queen of Scots wrote her last letter to Elizabeth; full of dignity, without departing from that spirit of meekness and of charity which appertained to this reading scene of her unfortunate life. She preferred no petition for averting the fatal sentence: on the contrary, she expressed her gratitude to Heaven for thus bringing to a speedy period her sad and lamentable pilgrimage. She requested some favours of Elizabeth, and entreated her that she might be beholden for them to her own goodness alone, without making applications to those ministers who had discovered such an extreme malignity against her person and her religion. She desired, that after her enemies should be satiated with her innocent blood, her body, which it was determined should never enjoy rest while her soul was united to it, might be consigned to her servants, and be conveyed by them into France, there to repose in a catholic land, with the sacred reliques of her mother. In Scotland, she said, the sepulchres of her ancestors were violated, and the churches either demolished or profaned; and in England, where she might be interred among the ancient kings, her own and Elizabeth's progenitors, she could entertain no hopes of being accompanied to the grave with those rites and ceremonies which her religion required. She begged that no one might have the power of inflicting a

private death upon her, without Elizabeth's knowledge; but that her execution should be public, and attended by her ancient servants, who might bear testimony of her perseverance in the faith, and of her submission to the will of Heaven. She begged that these servants might afterwards be allowed to depart whithersoever they pleased, and might enjoy those legacies which she should bequeath them. And she conjured her to grant these favours, by their near kindred; by the soul and memory of Henry VII. the common ancestor of both; and by the royal dignity, of which they equally participated.¹² Elizabeth made no answer to this letter; being unwilling to give Mary a refusal in her present situation, and foreseeing inconveniences from granting one of her requests.

While the queen of Scots thus prepared herself to meet her fate, great efforts were made by foreign powers with Elizabeth, to prevent the execution of the sentence pronounced against her. Besides employing L'Aubespine, the French resident at London, a creature of the house of Guise, Henry sent over Believre, with a professed intention of interceding for the life of Mary. The duke of Guise and the league at that time threatened very nearly the king's authority; and Elizabeth knew, that though that monarch might, from decency and policy, think himself obliged to interpose publicly in behalf of the queen of Scots, he could not secretly be much displeased with the death of a princess, on whose fortune and elevation his mortal enemies had always founded so many daring and ambitious projects.¹³ It is even pretended, that Believre had orders, after making public and vehement remonstrances against the execution of Mary, to exhort privately the queen, in his master's name, not to defer an act of justice, so necessary for their common safety.¹⁴ But whether the French king's intercession were sincere or not, it had no weight with the queen; and she still persisted in her former resolution.

INTERPOSITION OF KING JAMES.

THE interposition of the young king of Scots, though not able to change Elizabeth's determination, seemed, on every account, to merit more regard. As soon as James heard of the trial and condemnation of his mother, he sent sir William Keith, a gentleman of his bed-chamber, to London; and wrote a letter to the queen, in which he remonstrated in very severe terms against the indignity of the procedure. He said, that he was astonished to hear of the presumption of English noblemen and counsellors, who had dared to sit in judgment and pass sentence upon a queen of Scotland, descended from the blood royal of England; but he was still more astonished

to hear, that thoughts were seriously entertained of putting that sentence in execution: that he entreated Elizabeth to reflect on the dishonour which she would draw on her name by imbruing her hands in the blood of her near kinswoman, a person of the same royal dignity, and of the same sex with herself: that in this unparalleled attempt she offered an affront to all diadems, and even to her own, and by seducing sovereigns to a level with other men, taught the people to neglect all duty towards those whom Providence has appointed to rule over them: that for his part, he must deem the injury and insult so enormous, as to be incapable of all atonement; nor was it possible for him thenceforward to remain in any terms of correspondence with a person who, without any pretence of legal authority, had deliberately inflicted an ignominious death upon his parent: and that even if the sentiments of nature and duty did not inspire him with this purpose of vengeance, his honour required it of him; nor could he ever acquit himself in the eyes of the world, if he did not use every effort and endure every hazard to revenge so great an indignity.¹

Soon after, James sent the master of Gray and sir Robert Melvil to enforce the remonstrances of Keith; and to employ with the queen every expedient of argument and menaces. Elizabeth was at first offended with the sharpness of these applications; and she replied in a like strain to the Scottish ambassadors. When she afterwards reflected that this earnestness was no more than what duty required of James, she was pacified; but still retained her resolution of executing the sentence against Mary.² It is believed, that the master of Gray, guided by the enemies of that princess, secretly gave his advice not to spare her, and undertook, in all events, to pacify his master.

The queen also, from many considerations, was induced to pay small attention to the applications of James, and to disregard all the efforts which he could employ in behalf of his mother. She was well acquainted with his character and interests, the factions which prevailed among his people, and the inveterate hatred which the zealous protestants, particularly the preachers, bore to the queen of Scots. The present incidents set these dispositions of the clergy in a full light. James, observing the fixed purpose of Elizabeth, ordered prayers to be offered up for Mary in all the churches; and knowing the captious humour of the ecclesiastics, he took care that the form of the petition should be most cautious, as well as humane and charitable: "That it might please God to illuminate Mary with the light of his truth, and save her from the apparent danger with which she was threatened." But, excepting the king's own chaplains, and one

clergyman more, all the preachers refused to pollute their churches by prayers for a papist, and would not so much as prefer a petition for her conversion. James, unwilling or unable to punish this disobedience, and desirous of giving the preachers an opportunity of amending their fault, appointed a new day when prayers should be said for his mother; and that he might at least secure himself from any insult in his own presence, he desired the archbishop of St. Andrew's to officiate before him. In order to disappoint this purpose, the clergy instigated one Couper, a young man who had not yet received holy orders, to take possession of the pulpit early in the morning, and to exclude the prelate. When the king came to church, and saw the pulpit occupied by Couper, he called to him from his seat, and told him, that the place was destined for another; yet since he was there, if he would obey the charge given, and remember the queen in his prayers, he might proceed to divine service. The preacher replied, that he would do as the Spirit of God should direct him. This answer sufficiently instructed James in his purpose; and he commanded him to leave the pulpit. As Couper seemed not disposed to obey, the captain of the guard went to pull him from his place; upon which the young man cried aloud, That this day would be a witness against the king in the great day of the Lord; and he denounced a woe upon the inhabitants of Edinburgh for permitting him to be treated in that manner.³ The audience at first appeared desirous to take part with him; but the sermon of the prelate brought them over to a more dutiful and more humane disposition.

REASONS FOR THE EXECUTION OF MARY.

ELIZABETH, when solicited, either by James or by foreign princes, to pardon the queen of Scots, seemed always determined to execute the sentence against her: but when her ministers urged her to interpose no more delays, her scruples and her hesitation returned; her humanity could not allow her to embrace such violent and sanguinary measures; and she was touched with compassion for the misfortunes, and with respect for the dignity, of the unhappy prisoner. The courtiers, sensible that they could do nothing more acceptable to her, than to employ persuasion on this head, failed not to enforce every motive for the punishment of Mary, and to combat all the objections urged against this act of justice. They said that the treatment of that princess in England had been, on her first reception, such as sound reason and policy required; and if she had been governed by principles of equity, she would not have refused willingly to acquiesce in it: that the obvious inconveniences either

of allowing her to retire into France, or of restoring her by force to her throne, in opposition to the reformers and the English party in Scotland, had obliged the queen to detain her in England till time should offer some opportunity of serving her, without danger to the kingdom, or to the protestant religion: that her usage there had been such as became her rank; her own servants in considerable numbers had been permitted to attend her; exercise had been allowed her for health, and all access of company for amusement; and these indulgences would in time have been carried farther, if by her subsequent conduct she had appeared worthy of them: that after she had instigated the rebellion of Northumberland, the conspiracy of Norfolk, the bull of excommunication of pope Pius, an invasion from Flanders; after she had seduced the queen's friends, and incited every enemy, foreign and domestic, against her⁴; it became necessary to treat her as a most dangerous rival, and to render her confinement more strict and rigorous: that the queen, notwithstanding these repeated provocations, had, in her favour, rejected the importunity of her parliaments, and the advice of her sagest ministers;⁴⁴ and was still, in hopes of her amendment, determined to delay coming to the last extremities against her: that Mary, even in this forlorn condition, retained so high and unconquerable a spirit, that she acted as competitor to the crown, and allowed her partisans every where, and in their very letters, addressed to herself, to treat her as queen of England: that she had carried her animosity so far as to encourage, in repeated instances, the atrocious design of assassinating the queen; and this crime was unquestionably proved upon her by her own letters, by the evidence of her secretaries, and by the dying confession of her accomplices: that she was but a titular queen, and at present possessed no where any right of sovereignty; much less in England, where the moment she set foot in the kingdom, she voluntarily became subject to the laws, and to Elizabeth, the only true sovereign: that even allowing her to be still the queen's equal in rank and dignity, self-defence was permitted by a law of nature, which could never be abrogated; and every one, still more a queen, had sufficient jurisdiction over an enemy, who by open violence, and still more, who by secret treachery, threatened the utmost danger against her life: that the general combination of the catholics to exterminate the protestants was no longer a secret; and as the sole resource of the latter persecuted sect lay in Elizabeth, so the chief hope which the former entertained of final success, consisted in the person and in the title of the queen of Scots: that this very circumstance brought matters to extremity between these princesses; and rendering the life of one the

death of the other, pointed out to Elizabeth the path, which either regard to self-preservation, or to the happiness of her people, should direct her to pursue: and that necessity, more powerful than policy, thus demanded of the queen "that resolution which equity would authorize, and which duty prescribed."²⁵

1587. When Elizabeth thought, that as many importunities had been used, and as much delay interposed, as decency required, she at last determined to carry the sentence into execution: but even in this final resolution she could not proceed without displaying a new scene of duplicity and artifice. In order to alarm the vulgar, rumours were previously dispersed that the Spanish fleet was arrived at Milford Haven; that the Scots had made an irruption into England; that the duke of Guise was landed in Sussex with a strong army; that the queen of Scots was escaped from prison, and had raised an army; that the northern counties had begun an insurrection; that there was a new conspiracy on foot to assassinate the queen, and set the city of London on fire; nay, that the queen was actually assassinated.²⁶ An attempt of this nature was even imputed to L'Aubespine, the French ambassador; and that minister was obliged to leave the kingdom. The queen, affecting to be in terror and perplexity, was observed to sit much alone, pensive and silent; and sometimes to mutter to herself half-sentences, importing the difficulty and distress to which she was reduced.²⁷ She at last called Davison a man of parts, but easy to be imposed on, and who had lately for that very reason been made secretary, and she ordered him privately to draw a warrant for the execution of the queen of Scots; which, she afterwards said, she intended to keep by her, in case any attempt should be made for the deliverance of that princess. She signed the warrant, and then commanded Davison to carry it to the chancellor, in order to have the great seal appended to it. Next day she sent Killigrew to Davison, enjoining him to forbear, some time, executing her former orders; and when Davison came and told her that the warrant had already passed the great seal, she seemed to be somewhat moved, and blamed him for his precipitation. Davison, being in a perplexity, acquainted the council with this whole transaction; and they endeavoured to persuade him to send off Beale with the warrant; if the queen should be displeased, they promised to justify his conduct, and to take on themselves the whole blame of this measure.²⁸ The secretary, not sufficiently aware of their intension, complied with the advice; and the warrant was dispatched to the earls of Shrewsbury and Kent, and some others, ordering them to see the sentence executed upon the queen of Scots.

THE EXECUTION. *Feb. 7.*

THE two earls came to Fotheringay castle, and being introduced to Mary, informed her of their commission, and desired her to prepare for death next morning at eight o'clock. She seemed nowise terrified, though somewhat surprised, with the intelligence. She said, with a cheerful, and even a smiling countenance, that she did not think the queen, her sister, would have consented to her death, or have executed the sentence against a person not subject to the laws and jurisdiction of England. "But as such is her will," said she, "death, which puts an end to all my miseries, shall be to me most welcome; nor can I esteem that soul worthy the felicity of heaven, which cannot support the body under the horrors of the last passage to these blissful mansions."²⁹ She then requested the two noblemen, that they would permit some of her servants, and particularly her confessor, to attend her: but they told her, that compliance with this last demand was contrary to their conscience,³⁰ and that Dr. Fletcher, dean of Peterborow, a man of great learning, should be present to instruct her in the principles of true religion. Her refusal to have any conference with this divine inflamed the zeal of the earl of Kent; and he bluntly told her, that her death would be the life of their religion; as, on the contrary, her life would have been the death of it. Mention being made of Babington, she constantly denied his conspiracy to have been at all known to her; and the day before she signed into the hands of the Almighty.

When the earls had left her, she ordered supper to be hastened, that she might have the more leisure after it, to finish the few affairs which remained to her in this world, and to prepare for her passage to another. It was necessary for her, she said, to take some sustenance, lest a failure of her bodily strength should depress her spirits on the morrow, and lest her behaviour should thereby betray a weakness unworthy of herself.³¹ She supped sparingly, as her manner usually was, and her wonted cheerfulness did not even desert her on this occasion. She comforted her servants under the affliction which overwhelmed them, and which was too violent for them to conceal it from her. Turning to Burgoin, her physician, she asked him, Whether he did not remark the great and invincible force of truth? "They pretend," said she, "that I must die because I conspired against their queen's life: but the earl of Kent avowed, that there was no other cause of my death, than the apprehensions which, if I should live, they entertain for their religion. My constancy in the faith is my real crime: the rest is only a colour, invented by interested and designing men." Towards the end of supper, she called in all

her servants, and drank to them: they pledged her, in order, on their knees, and craved her pardon for any past neglect of their duty: she deigned, in return, to ask their pardon for her offences towards them: and a plentiful effusion of tears attended this last solemn farewell, and exchange of mutual forgiveness.³²

Mary's care of her servants was the sole remaining affair which employed her concern. She perused her will, in which she had provided for them by legacies: she ordered the inventory of her goods, clothes, and jewels to be brought her; and she wrote down the names of those to whom she bequeathed each particular: to some she distributed money with her own hands; and she adapted the recompence to their different degrees of rank and merit. She wrote also letters of recommendation for her servants to the French king, and to her cousin the duke of Guise, whom she made the chief executor of her testament. At her wonted time she went to bed; slept some hours; and then rising, spent the rest of the night in prayer. Having foreseen the difficulty of exercising the rites of her religion, she had had the precaution to obtain a consecrated hoste from the hands of pope Pius; and she had reserved the use of it for this last period of her life. By this expedient she supplied, as much as she could, the want of a priest and confessor, who was refused her.³³

Towards the morning, she dressed herself in a rich habit of silk and velvet, the only one which she had reserved to herself. She told her maids, that she would willingly have left to them this dress rather than the plain garb which she wore the day before; but it was necessary for her to appear at the ensuing solemnity in a decent habit.

Thomas Andrews, sheriff of the county, entered the room, and informed her that the hour was come, and that he must attend her to the place of execution. She replied, That she was ready; and bidding adieu to her servants, she leaned on two of sir Anias Paulet's guards, because of an infirmity in her limbs; and she followed the sheriff with a serene and composed countenance. In passing through a hall adjoining to her chamber, she was met by the earls of Shrewsbury and Kent, sir Anias Paulet, sir Drue Drury, and many other gentlemen of distinction. Here she also found sir Andrew Melvil, her steward, who flung himself on his knees before her; and wringing his hands, cried aloud, "Ah, Madam! unhappy me! what man was ever before the messenger of such heavy tidings as I must carry, when I shall return to my native country, and shall report that I saw my gracious queen and mistress beheaded in England?" His tears prevented farther speech; and Mary too felt herself moved more from sympathy than affliction. "Cease, my good servant," said she, "cease

to lament: thou hast cause rather to rejoice than to mourn: for now shalt thou see the troubles of Mary Stuart receive their long-expected period and completion. Know," continued she, "good servant, that all the world at best is vanity, and subject still to more sorrow than a whole ocean of tears is able to bewail. But I pray thee carry this message from me, that I die a true woman to my religion, and unalterable in my affections to Scotland and to France. Heaven forgive them that have long desired my end, and have thirsted for my blood as the hart panteth after the water-brooks. O God," added she, "thou that art the Author of truth, and truth itself, thou knowest the inmost recesses of my heart: thou knowest that I was ever desirous to preserve an entire union between Scotland and England, and to obviate the source of all these fatal discords. But recommend me, Melvil, to my son, and tell him, that notwithstanding all my distresses, I have done nothing prejudicial to the state and kingdom of Scotland." After these words, reclining herself, with weeping eyes, and face bedewed with tears, she kissed him. "And so," said she, "good Melvil, farewell: once again, farewell, good Melvil; and grant the assistance of thy prayers to thy queen and mistress."³¹

She next turned to the noblemen who attended her, and made a petition in behalf of her servants, that they might be well treated, be allowed to enjoy the presents which she had made them, and be sent safely into their own country. Having received a favourable answer, she preferred another request, that they might be permitted to attend her at her death: in order, said she, that their eyes may behold, and their hearts bear witness, how patiently their queen and mistress can submit to her execution, and how constantly she perseveres in her attachment to her religion. The earl of Kent opposed this desire, and told her, that they would be apt by their speeches and cries to disturb both herself and the spectators: he was also apprehensive lest they should practise some superstition not meet for him to suffer; such as dipping their handkerchiefs in her blood: for that was the instance which he made use of. "My lord," said the queen of Scots, "I will give my word (although it be but dead) that they shall not incur any blame in any of the actions which you have named. But alas! poor souls! it would be a great consolation to them to bid their mistress farewell. And I hope," added she, "that your mistress, being a maiden queen, would vouchsafe in regard of womanhood, that I should have some of my own people about me at my death. I know that her majesty hath not given you any such strict command, but that you might grant me a request of far greater courtesy, even though I were a woman of inferior rank to

that which I bear." Finding that the earl of Kent persisted still in his refusal, her mind, which had fortified itself against the terrors of death, was affected by this indignity, for which she was not prepared. "I am cousin to your queen," cried she, "and descended from the blood-royal of Henry VII. and a married queen of France, and an anointed queen of Scotland." The commissioners, perceiving how invidious their obstinacy would appear, conferred a little together, and agreed that she might carry a few of her servants along with her. She made choice of four men and two maid-servants for that purpose.

She then passed into another hall, where was erected the scaffold, covered with black; and she saw with an undismayed countenance, the executioners, and all the preparations of death. The room was crowded with spectators; and no one was so steeled against all sentiments of humanity, as not to be moved when he reflected on her royal dignity, considering the surprising train of her misfortunes, beheld her mild but inflexible constancy, recalled her amiable accomplishments, or surveyed her beauties, which, though faded by years, and yet more by her afflictions, still discovered themselves in this fatal moment. Here the warrant for her execution was read to her; and during this ceremony she was silent, but showed in her behaviour an indifference and unconcern, as if the business had no wise regarded her. Before the executioners performed their office, the dean of Peterborow stepped forth; and though the queen frequently told him that he needed not concern himself about her, that she was settled in the ancient catholic and Roman religion, and that she meant to lay down her life in defence of that faith; he still thought it his duty to persist in his lectures and exhortations, and to endeavour her conversion. The terms which he employed were, under colour of pious instructions, cruel insults on her unfortunate situation; and besides their own absurdity, may be regarded as the most mortifying indignities to which she had ever yet been exposed. He told her that the queen of England had on this occasion shown a tender care of her; and notwithstanding the punishment justly to be inflicted on her for her manifold trespasses, was determined to use every expedient for saving her soul from that destruction with which it was so nearly threatened: that she was now standing upon the brink of eternity, and had no other means of escaping endless perdition, than by repenting her former wickedness, by justifying the sentence pronounced against her, by acknowledging the queen's favours, and by exerting a true and lively faith in Christ Jesus: that the scriptures were the only rule of doctrine, the merits of Christ the only means of salvation, and if she trusted in the inventions or

devices of men, she must expect in an instant to fall into utter darkness, into a place where shall be weeping, howling, and gnashing of teeth: that the hand of death was upon her, the axe was laid to the root of the tree, the throne of the great Judge of heaven was reared, the book of her life was spread wide, and the particular sentence and judgment was ready to be pronounced upon her: and that it was now, during this important moment, in her choice, either to rise to the direction of life, and hear that joyful denunciation, *Come, ye blessed of my Father*; or share the resurrection of condemnation, clothed with sorrow and anguish; and to suffer that dreadful denunciation, *Go, ye cursed, into everlasting fire*.³⁵

During this discourse Mary could not sometimes forbear betraying her impatience, by interrupting the preacher; and the dean, finding that she had profited nothing by his lecture, at last bade her change her opinion, repent her of her former wickedness, and settle her faith upon this ground, that only in Christ Jesus could she hope to be saved. She answered again and again, with great earnestness: "Trouble not yourself any more about the matter: for I was born in this religion; I have lived in this religion; and in this religion I am resolved to die." Even the two earls perceived, that it was fruitless to harass her any farther with theological disputes; and they ordered the dean to desist from his unseasonable exhortations, and to pray for her conversion.

During the dean's prayer, she employed herself in private devotion from the office of the Virgin; and after he had finished, she pronounced aloud some petitions in English, for the afflicted church, for an end of her own troubles, for her son, and for queen Elizabeth; and prayed God, that that princess might long prosper, and be employed in his service. The earl of Kent observing that in her devotions she made frequent use of the crucifix, could not forbear reproving her for her attachment to that popish trumpery, as he termed it; and he exhorted her to have Christ in her heart, not in her hand.³⁶ She replied with presence of mind, that it was difficult to hold such an object in her hand without feeling her heart touched with some compunction.³⁷

She now began, with the aid of her two women, to disrobe herself; and the executioner also lent his hand to assist them. She smiled, and said, that she was not accustomed to undress herself before so large a company, nor to be served by such valets. Her servants, finding her in this condition ready to lay her head upon the block, burst into tears and lamentations: she turned about to them; put her finger upon her lips, as a sign of imposing silence upon them;³⁸ and having given them

her blessing, desired them to pray for her. One of her maids, whom she had appointed for that purpose, covered her eyes with a handkerchief; she laid herself down without any sign of fear or trepidation; and her head was severed from her body at two strokes by the executioner. He instantly held it up to the spectators, streaming with blood, and agitated with the convulsions of death: the dean of Peterborow alone exclaimed, "So perish all queen Elizabeth's enemies!" The earl of Kent alone replied, "Amen!" The attention of all the other spectators was fixed on the melancholy scene before them; and zeal and flattery alike gave place to present pity and admiration of the expiring princess.

MARY'S CHARACTER.

Thus perished, in the forty-fifth year of her age, and nineteenth of her captivity in England, Mary queen of Scots; a woman of great accomplishments both of body and mind, natural as well as acquired; but unfortunate in her life, and during one period very unhappy in her conduct. The beauties of her person, and graces of her air, combined to make her the most amiable of women; and the charms of her address and conversation aided the impression which her lovely figure made on the hearts of all beholders. Ambitious and active in her temper, yet inclined to cheerfulness and society; of a lofty spirit, constant, and even vehement, in her purpose, yet polite, and gentle, and affable in her demeanour; she seemed to partake only so much of the male virtues as to render her estimable, without relinquishing those soft graces which compose the proper ornament of her sex. In order to form a just idea of her character, we must set aside one part of her conduct, while she abandoned herself to the guidance of a profligate man; and must consider these faults, whether we admit them to be imprudences or crimes, as the result of an inexplicable, though not uncommon, inconstancy in the human mind, of the frailty of our nature, of the violence of passion, and of the influence which situations, and sometimes momentary incidents, have on persons whose principles are not thoroughly confirmed by experience and reflection. Enraged by the ungrateful conduct of her husband, seduced by the treacherous counsels of one in whom she reposed confidence, transported by the violence of her own temper, which never lay sufficiently under the guidance of discretion, she was betrayed into actions which may with some difficulty be accounted for, but which admit of no apology nor even of alleviation. An enumeration of her qualities might carry the appearance of a panegyric; an account of her conduct must

in some parts wear the aspect of severe satire and invective.

Her numerous misfortunes, the solitude of her long and tedious captivity, and the persecutions to which she had been exposed on account of her religion, had wrought her up to a degree of bigotry during her later years; and such were the prevalent spirit and principles of the age, that it is the less wonder if her zeal, her resentment, and her interest uniting, induced her to give consent to a design which conspirators, actuated only by the first of these motives, had formed against the life of Elizabeth.

THE QUEEN'S AFFECTED SORROW.

WHEN the queen was informed of Mary's execution, she affected the utmost surprise and indignation. Her countenance changed; her speech faltered and failed her; for a long time her sorrow was so deep that she could not express it, but stood fixed like a statue in silence and mute astonishment. After her grief was able to find vent, it burst out into loud wailings and lamentation; she put herself in deep mourning for this deplorable event; and she was seen perpetually bathed in tears, and surrounded only by her maids and women. None of her ministers or counsellors dared to approach her; or if any had such temerity, she chased them from her with the most violent expressions of rage and resentment: they had all of them been guilty of an unpardonable crime, in putting to death her dear sister and kinswoman, contrary to her fixed purpose,³⁹ of which they were sufficiently apprised and acquainted.

No sooner was her sorrow so much abated as to leave room for reflection, than she wrote a letter of apology to the king of Scots, and sent it by sir Robert Cary, son of lord Hunsdon. She then told him, that she wished he knew, but not felt, the unutterable grief which she experienced, on account of that lamentable accident, which, without her knowledge, much less concurrence, had happened in England: that as her pen trembled when she attempted to write it, she found herself obliged to commit the relation of it to a messenger, her kinsman; who would likewise inform his majesty of every circumstance attending this dismal and unlooked-for misfortune: that she appealed to the supreme Judge of heaven and earth for her innocence; and was also so happy, amidst her other afflictions, as to find that many persons in her court could bear witness to her veracity in this protestation: that she abhorred dissimulation; deemed nothing more worthy of a prince than a sincere and open conduct; and could never surely be esteemed so base and poor spirited as that, if she had really given orders for this fatal execution, she could on

any consideration be induced to deny them. that, though sensible of the justice of the sentence pronounced against the unhappy prisoner, she determined, from clemency, never to carry it into execution; and could not but resent the temerity of those who on this occasion had disappointed her intention: and that as no one loved him more dearly than herself, or bore a more anxious concern for his welfare; she hoped that he would consider every one as his enemy who endeavoured, on account of the present incident, to excite any animosity between them.⁴⁰

In order the better to appease James, she committed Davison to prison, and ordered him to be tried in the Star Chamber for his misdemeanor. The secretary was confounded; and being sensible of the danger which must attend his entering into a contest with the queen, he expressed penitence for his error, and submitted very patiently to be railed at by those very counsellors whose persuasion had induced him to incur the guilt, and who had promised to countenance and protect him. He was condemned to imprisonment during the queen's pleasure, and to pay a fine of ten thousand pounds. He remained a long time in custody; and the fine, though it reduced him to beggary, was rigorously levied upon him. All the favour which he could obtain from the queen, was sending him small supplies from time to time to keep him from perishing in necessity.⁴¹ He privately wrote an apology to his friend Walsingham, which contains many curious particulars. The French and Scotch ambassadors, he said, had been remonstrating with the queen in Mary's behalf; and immediately after their departure she commanded him, of her own accord, to deliver her the warrant for the execution of that princess. She signed it readily, and ordered it to be sealed with the great seal of England. She appeared in such good humour on the occasion, that she said to him in a jocular manner, "Go tell all this to Walsingham, who is now sick: though I fear he will die of sorrow when he hears of it." She added, that though she had so long delayed the execution, lest she should seem to be actuated by malice or cruelty, she was all along sensible of the necessity of it. In the same conversation she blamed Drury and Paulet, that they had not before eased her of this trouble; and she expressed a desire that Walsingham would bring them to compliance in that particular. She was so bent on this purpose, that some time after she asked Davison, Whether any letter had come from Paulet with regard to the service expected of him? Davison showed her Paulet's letter, in which that gentleman positively refused to act any thing inconsistent with the principles of honour and justice. The queen fell into a passion, and accused Paulet

as well as Drury of perjury; because, having taken the oath of association, in which they had bound themselves to avenge her wrongs, they had yet refused to lend their hand on this occasion. "But others," she said, "will be found less scrupulous." Davison adds, that nothing but the consent and exhortations of the whole council could have engaged him to send off the warrant: he was well aware of his danger; and remembered that the queen, after having ordered the execution of the duke of Norfolk, had endeavoured, in a like manner, to throw the whole blame and odium of that action upon lord Burleigh.⁴²

Elizabeth's dissimulation was so gross that it could deceive nobody who was not previously resolved to be blinded; but as James's concern for his mother was certainly more sincere and cordial, he discovered the highest resentment, and refused to admit Cary into his presence. He recalled his ambassadors from England; and seemed to breathe nothing but war and vengeance. The states of Scotland being assembled, took part in his anger; and professed that they were ready to spend their lives and fortunes in revenge of his mother's death, and in defence of his title to the crown of England. Many of the nobility instigated him to take arms: lord Sinclair, when the courtiers appeared in deep mourning, presented himself to the king, arrayed in complete armour, and said, that this was the proper mourning for the queen. The catholics took the opportunity of exhorting James to make an alliance with the king of Spain, to lay immediate claim to the crown of England, and to prevent the ruin which, from his mother's example, he might conclude would certainly, if Elizabeth's power prevailed, overwhelm his person and his kingdom. The queen was sensible of the danger attending these counsels; and after allowing James some decent interval to vent his grief and anger, she employed her messengers to pacify him, and to set before him every motive of hope or fear which might induce him to live in amity with her.

Walsingham wrote (4th March) to lord Hirlstone, James's secretary, a judicious letter to the same purpose. He said, That he was much surprised to hear of the violent resolutions taken in Scotland, and of the passion discovered by a prince of so much judgment and temper as James: that a war, founded only on the principle of revenge, and that on account of an act of justice which necessity had extorted, would for ever be exposed to censure, and could not be excused by any principles of equity or reason: that if these views were deemed less momentous among princes, policy and interest ought certainly to be attended to; and these motives did still more evidently oppose all thoughts of a rupture with Elizabeth, and all revival of ex-

ploded claims to the English throne: that the inequality between the two kingdoms deprived James of any hopes of success, if he trusted merely to the force of his own state, and had no recourse to foreign powers for assistance: that the objections attending the introduction of succours from a more potent monarch appeared so evident from all the transactions of history, that they could not escape a person of the king's extensive knowledge; but there were, in the present case, several peculiar circumstances, which ought for ever to deter him from having recourse to so dangerous an expedient: that the French monarch, the ancient ally of Scotland, might willingly use the assistance of that kingdom against England; but would be displeased to see the union of these two kingdoms in the person of James; a union which would ever after exclude him from practising that policy formerly so useful to the French, and so pernicious to the Scottish nation: that Henry, besides, infested with faction and domestic war, was not in a condition of supporting distant allies; much less would he expose himself to any hazard or expence, in order to aggrandize a near kinsman of the house of Guise, the most determined enemies of his repose and authority: that the extensive power and exorbitant ambition of the Spanish monarch rendered him a still more dangerous ally to Scotland; and as he evidently aspired to an universal monarchy in the west, and had in particular advanced some claims to England, as if he were descended from the house of Lancaster, he was at the same time the common enemy of all princes who wished to maintain their independence, and the immediate rival and competitor of the king of Scots: that the queen, by her own naval power and her alliance with the Hollanders, would probably intercept all succours which might be sent to James from abroad, and be enabled to decide the controversy in this island, with the superior forces of her own kingdom, opposed to those of Scotland: that if the king revived his mother's pretensions to the crown of England, he must also embrace her religion, by which alone they could be justified; and must thereby undergo the infamy of abandoning those principles in which he had been strictly educated, and to which he had hitherto religiously adhered: that as he would, by such an apostasy, totally alienate all the protestants in Scotland and England, he could never gain the confidence of the catholics, who would still entertain reasonable doubts of his sincerity: that by advancing a present claim to the crown, he forfeited the certain prospect of his succession, and revived that national animosity which the late peace and alliance between the kingdoms had happily extinguished: that the whole gentry and nobility of England had openly declared them-

selves for the execution of the queen of Scots; and if James showed such violent resentment against that act of justice, they would be obliged, for their own security, to prevent for ever so impleacable a prince from ruling over them: and that, however some persons might represent his honour as engaged to seek vengeance for the present affront and injury, the true honour of a prince consisted in wisdom and moderation and justice, not in following the dictates of blind passion, or in pursuing at the expense every motive and every interest.⁴³ These considerations, joined to the peaceable unambitious temper of the young prince, prevailed over his resentment; and he fell gradually into a good correspondence with the court of England. It is probable that the queen's chief object in her dissimulation with regard to the execution of Mary, was, that she might thereby afford James a decent pretence for renewing his amity with her, on which their mutual interest so much depended.

DRAKE DESTROYS THE FLEET AT CADIZ.

WHILE Elizabeth ensured tranquillity from the attempts of her nearest neighbour, she was not negligent of more distant dangers. Hearing that Philip, though he seemed to dissemble the daily insults and injuries which he received from the English, was secretly preparing a great navy to attack her; she sent sir Francis Drake with a fleet to intercept his supplies, to pillage his coast, and to destroy his shipping. Drake carried out four capital ships of the queen's, and twenty-six great and small, with which the London merchants, in hopes of sharing in the plunder, had supplied him. Having learned from two Dutch ships, which he met with in his passage, that a Spanish fleet, richly laden, was lying at Cadiz, ready to set sail for Lisbon, the rendezvous of the intended Armada; he bent his course to the former harbour, and boldly, as well as fortunately, made an attack on the enemy. He obliged six galleys, which made head against him, to take shelter under the forts; he burned about a hundred vessels laden with ammunition and naval stores; and he destroyed a great ship of the marquis of Santa Croce. Thence he set sail for Cape St. Vincent, and took by assault the castle situated on that promontory, with three other fortresses. He next insulted Lisbon; and finding that the merchants, who had engaged entirely in expectation of profit, were discontented at these military enterprises, he set sail for the Terceiras, with an intention of lying in wait for a rich carrack which was expected in those parts. He was so fortunate as to meet with his prize; and by this short expedition in which the public bore so small a share, the adventurers were encouraged to

attempt further enterprises, the English seamen learned to despise the great unwieldy ships of the enemy, the naval preparations of Spain were destroyed, the intended expedition against England was retarded a twelvemonth, and the queen thereby had leisure to take more secure measures against that formidable invasion.⁴⁴

This year, Thomas Cavendish, a gentleman of Devonshire, who had dissipated a good estate by living at court, being resolved to repair his fortune at the expense of the Spaniards, fitted out three ships at Plymouth, one of a hundred and twenty tons, another of sixty, and a third of forty; and with these small vessels he ventured into the South Sea, and committed great depredations on the Spaniards. He took nineteen vessels, some of which were richly laden; and returning by the Cape of Good Hope, he came to London, and entered the river in a kind of triumph. His mariners and soldiers were clothed in silk, his sails were of damask, his top-sail cloth of gold; and his prizes were esteemed the richest that had ever been brought into England.⁴⁵

The land enterprises of the English were not, during this campaign, so advantageous or honourable to the nation. The important place of Deventer was intrusted by Leicester to William Stanley, with a garrison of twelve hundred English; and this gentleman, being a catholic, was alarmed at the discovery of Babington's conspiracy, and became apprehensive lest every one of his religion should thenceforth be treated with distrust in England. He entered into a correspondence with the Spaniards, betrayed the city to them for a sum of money, and engaged the whole garrison to desert with him to the Spanish service. Roland York, who commanded a fort near Zutphen, imitated his example; and the Hollanders, formerly disgusted with Leicester, and suspicious of the English, broke out into loud complaints against the improvidence, if not the treachery, of his administration. Soon after he himself arrived in the Low Countries; but his conduct was nowise calculated to give them satisfaction, or to remove the suspicions which they had entertained against him. The prince of Parma having besieged Sluys, Leicester attempted to relieve the place, first by sea, then by land; but failed in both enterprises; and as he ascribed his bad success to the ill behaviour of the Hollanders, they were equally free in reflections upon his conduct. The breach between them became wider every day: they slighted his authority, opposed his measures, and neglected his counsels; while he endeavoured, by an imperious behaviour and by violence, to recover that influence which he had lost by his imprudent and ill concerted measures. He was even suspected by the Dutch of a design to usurp upon them

betries; and the jealousy entertained against her began to extend towards the queen herself. That princess had made some advances towards a peace with Spain: a congress had been opened at Bourbourg, a village near Gravelines; and though the two courts, especially that of Spain, had no other intention than to amuse each of them its enemy by negotiation, and mutually relax the preparations for defence or attack, the Dutch, who were determined on so terms to return under the Spanish yoke, became apprehensive lest their liberty should

sacrificed to the political interests of England.¹⁶ But the queen, who knew the importance of her alliance with the States forcing the present conjuncture, was resolved to give them entire satisfaction, by recalling Leicester, and commanding him to resign his government. Maurice, son of the late prince of Orange, a youth of twenty years of age, was elected by the States governor in his place; and Peregrine lord Willoughby was appointed by the queen commander of the English forces. The measures of these two generals were much

barrassed by the malignity of Leicester, who had left a faction behind him, and who till attempted, by means of his emissaries, to disturb all the operations of the States. As soon as Elizabeth received intelligence of these disorders, she took care to redress them; and he obliged all the partisans of England to fall in unanimity with prince Maurice.¹⁷ But though her good sense so far prevailed over her partiality to Leicester, she never could be made fully sensible of his vices and incapacity: he submissions which he made her restored him to her wonted favour; and lord Buckhurst, who had accused him of misconduct in Holland, lost her confidence for some time, and was even committed to custody.

Sir Christopher Hatton was another favourite who at this time received some marks of her partiality. Though he had never followed the profession of the law, he was made chancellor in the place of Bromley deceased; but, notwithstanding all the expectations and perhaps wishes of the lawyers, he behaved in a manner not unworthy of that high station: his good natural capacity supplied the place of experience and study; and his decisions were not found deficient either in point of equity or judgment. His enemies had contributed to his promotion, in hopes that his absence from court, while he attended the business of chancery, would gradually estrange the queen from him, and give them an opportunity of undermining him in her favour.

PHILIP PROJECTS THE INVASION OF ENGLAND. 1588.

THESE little intrigues and cabals of the court were silenced by the account which

came from all quarters, of the vast preparations made by the Spaniards for the invasion of England, and for the entire conquest of that kingdom. Philip, though he had not yet declared war, on account of the hostilities which Elizabeth every where committed upon him, had long harboured a secret and violent desire of revenge against her. His ambition also, and the hopes of extending his empire, were much encouraged by the present prosperous state of his affairs; by the conquest of Portugal, the acquisition of the East-India commerce and settlements, and the yearly importation of vast treasures from America. The point on which he rested his highest glory, the perpetual object of his policy, was to support orthodoxy and exterminate heresy; and as the power and credit of Elizabeth were the chief bulwark of the protestants, he hoped, if he could subdue that princess, to acquire the eternal renown of re-uniting the whole Christian world in the catholic communion. Above all, his indignation against his revolted subjects in the Netherlands instigated him to attack the English, who had encouraged that insurrection, and who, by their vicinity, were so well enabled to support the Hollanders, that he could never hope to reduce these rebels while the power of that kingdom remained entire and unbroken. To subdue England seemed a necessary preparative to the re-establishment of his authority in the Netherlands; and notwithstanding appearances, the former was in itself, as a more important, so a more easy undertaking than the latter. That kingdom lay nearer Spain than the Low Countries, and was more exposed to invasions from that quarter; after an enemy had once obtained entrance, the difficulty seemed to be over, as it was neither fortified by art or nature; a long peace had deprived it of all military discipline and experience; and the catholics, in which it still abounded, would be ready, it was hoped, to join any invader who should free them from those persecutions under which they laboured, and should revenge the death of the queen of Scots, on whom they had fixed all their affections. The fate of England must be decided in one battle at sea, and another at land; and what comparison between the English and Spaniards, either in point of naval force, or in the numbers, reputation, and veteran bravery of their armies? Besides the acquisition of so great a kingdom, success against England ensured the immediate subjection of the Hollanders, who, attacked on every hand, and deprived of all support, must yield their stubborn necks to that yoke which they had so long resisted. Happily this conquest, as it was of the utmost importance to the grandeur of Spain, would not at present be opposed by the jealousy of other powers, naturally so

much interested to prevent the success of the enterprise. A truce was lately concluded with the Turks; the empire was in the hands of a friend and near ally; and France, the perpetual rival of Spain, was so torn with intestine commotions, that she had no leisure to pay attention to her foreign interests. This favourable opportunity, therefore, which might never again present itself, must be seized, and one bold effort made for acquiring that ascendancy in Europe, to which the present greatness and prosperity of the Spaniards seemed so fully to entitle them.⁴⁸

THE INVINCIBLE ARMADA.

THESE hopes and motives engaged Philip, notwithstanding his cautious temper, to undertake this hazardous enterprise; and though the prince, now created by the pope duke of Parma, when consulted, opposed the attempt, at least represented the necessity of previously getting possession of some sea-port town in the Netherlands, which might afford a retreat to the Spanish navy,⁴⁹ it was determined by the catholic monarch to proceed immediately to the execution of this ambitious project. During some time he had been secretly making preparations; but as soon as the resolution was fully taken, every part of his vast empire resounded with the noise of armaments, and all his ministers, generals, and admirals, were employed in forwarding the design. The marquis of Santa Croce, a sea officer of great reputation and experience, was destined to command the fleet; and by his counsels were the naval equipments conducted. In all the ports of Sicily, Naples, Spain, and Portugal, artisans were employed in building vessels of uncommon size and force; naval stores were bought at a great expence; provisions amassed; armies levied and quartered in the maritime towns of Spain; and plans laid for fitting out such a fleet and embarkation as had never before had its equal in Europe. The military preparations in Flanders were no less formidable. Troops from all quarters were every moment assembling, to reinforce the duke of Parma. Capizuehi and Spinelli conducted forces from Italy: the marquis of Borgaut, a prince of the house of Austria, levied troops in Germany: the Walloon and Burgundian regiments were completed or augmented: the Spanish infantry was supplied with recruits; and an army of thirty-four thousand men was assembled in the Netherlands, and kept in readiness to be transported into England. The duke of Parma employed all the carpenters whom he could procure, either in Flanders or in Lower Germany, and the coasts of the Baltic; and he built at Dunkirk and Newport, but especially at Antwerp, a great number of boats and flat-bottomed vessels, for the transporting of his

infantry and cavalry. The most renowned nobility and princes of Italy and Spain were ambitious of sharing in the honour of this great enterprise. Don Amadæus of Savoy, don John of Medinilla, Vespasian Gonzaga, duke of Sabionetta, and the duke of Pastrana, hastened to join the army under the duke of Parma. About two thousand volunteers in Spain, many of them men of family, had enlisted in the service. No doubts were entertained, but such vast preparations, conducted by officers of such consummate skill, must finally be successful. And the Spaniards, ostentatious of their power, and elated with vain hopes, had already denominated their navy the *Invincible Armada*.

PREPARATIONS IN ENGLAND.

NEWS of these extraordinary preparations soon reached the court of London; and notwithstanding the secrecy of the Spanish council, and their pretending to employ this force in the Indies, it was easily concluded, that they meant to make some effort against England. The queen had foreseen the invasion; and finding that she must now contend for her crown with the whole force of Spain, she made preparations for resistance; nor was she dismayed with that power by which all Europe apprehended she must of necessity be overwhelmed. Her force indeed seemed very unequal to resist so potent an enemy. All the sailors in England amounted at that time to about fourteen thousand men.⁵⁰ The size of the English shipping was in general so small, that except a few of the queen's ships of war, there were not four vessels belonging to the merchants which exceeded four hundred tons.⁵¹ The royal navy consisted only of twenty-eight sail,⁵² many of which were of small size; none of them exceeded the bulk of our largest frigates, and most of them deserved rather the name of pinnaces than of ships. The only advantage of the English fleet consisted in the dexterity and courage of the seamen, who, being accustomed to sail in tempestuous seas, and expose themselves to all dangers, as much exceeded in this particular the Spanish mariners, as their vessels were inferior in size and force to those of that nation.⁵³ All the commercial towns of England were required to furnish ships for reinforcing this small navy; and they discovered on the present occasion great alacrity in defending their liberty and religion against those imminent perils with which they were menaced. The citizens of London, in order to show their zeal in the common cause, instead of fifteen vessels which they were commanded to equip, voluntarily fitted out double the number.⁵⁴ The gentry and nobility hired, and armed, and manned, forty-three ships at their own charge;⁵⁵ and

all the loans which the queen demanded were frankly granted by the persons applied to. Lord Howard of Effingham, a man of courage and capacity, was admiral, and took on him the command of the navy: Drake, Hawkins, and Frobisher, the most renowned seamen in Europe, served under him. The principal fleet was stationed at Plymouth. A smaller squadron, consisting of forty vessels, English and Flemish, was commanded by lord Seymour, second son of protector Somerset; and lay off Dunkirk, in order to intercept the duke of Parma.

The land forces of England, compared to those of Spain, possessed contrary qualities to its naval power: they were more numerous than the enemy, but much inferior in discipline, reputation, and experience. An army of twenty thousand men was disposed in different bodies along the south coast; and orders were given them, if they could not prevent the landing of the Spaniard, to retire backwards, to waste the country around, and to wait for reinforcement from the neighbouring counties, before they approached the enemy. A body of twenty-two thousand foot, and a thousand horse, under the command of the earl of Leicester, was stationed at Tilbury, in order to defend the capital. The principal army consisted of thirty-four thousand foot and two thousand horse, and was commanded by lord Hunsdon. These forces were reserved for guarding the queen's person, and were appointed to march whithersoever the enemy should appear. The fate of England, if all the Spanish armies should be able to land, seemed to depend on the issue of a single battle; and men of reflection entertained the most dismal apprehensions, when they considered the force of fifty thousand veteran Spaniards, commanded by experienced officers, under the duke of Parma, the most consummate general of the age; and compared this formidable armament with the military power, which England, not enervated by peace, but long disused to war, could muster up against it.

The chief support of the kingdom seemed to consist in the vigour and prudence of the queen's conduct; who, undismayed by the present dangers, issued all her orders with tranquillity, animated her people to a steady resistance, and employed every resource which either her domestic situation or her foreign alliances could afford her. She sent sir Robert Sidney into Scotland, and exhorted the king to remain attached to her, and to consider the danger which at present menaced his sovereignty no less than her own, from the ambition of the Spanish tyrant.⁵⁶ The ambassador found James well disposed to cultivate a union with England, and that prince even kept himself prepared to march with the force of his whole kingdom to the assistance of Elizabeth.

Her authority with the king of Denmark, and the tie of their common religion, engaged this monarch, upon her application, to seize a squadron of ships which Philip had bought or hired in the Danish harbours.⁵⁷ The Hanse Towns, though not at that time on good terms with Elizabeth, were induced by the same motives to retard so long the equipment of some vessels in their ports, that they became useless to the purpose of invading England. All the protestants throughout Europe regarded this enterprise as the critical event, which was to decide for ever the fate of their religion; and though unable, by reason of their distance, to join their force to that of Elizabeth, they kept their eyes fixed on her conduct and fortune, and beheld with anxiety, mixed with admiration, the intrepid countenance with which she encountered that dreadful tempest which was every moment advancing towards her. •

The queen also was sensible that, next to the general popularity which she enjoyed, and the confidence which her subjects reposed in her prudent government, the firmest support of her throne consisted in the general zeal of the people for the protestant religion, and the strong prejudices which they had imbibed against popery. She took care, on the present occasion, to revive in the nation this attachment to their own sect, and this abhorrence of the opposite. The English were reminded of their former danger from the tyranny of Spain: all the barbarities exercised by Mary against the protestants were ascribed to the counsels of that bigoted and imperious nation: the bloody massacres in the Indies, the unrelenting executions in the Low Countries, the horrid cruelties and iniquities of the inquisition were set before men's eyes: a list and description was published, and pictures dispersed, of the several instruments of torture with which, it was pretended, the Spanish Armada was loaded; and every artifice, as well as reason, was employed to animate the people to a vigorous defence of their religion, their laws, and their liberties.

But while the queen, in this critical emergence, roused the animosity of the nation against popery, she treated the partisans of that sect with moderation, and gave not way to an undistinguishing fury against them. Though she knew that Sixtus Quintus, the present pope, famous for his capacity and his tyranny, had fulminated a new bull of excommunication against her, had deposed her, had absolved her subjects from their oaths of allegiance, and had granted plenary indulgences to every one engaged in the present invasion, she would not believe that all her catholic subjects could be so blinded, as to sacrifice to bigotry their duty to their sovereign, and

the liberty and independence of their native country. She rejected all violent counsels, by which she was urged to seek pretences for dispatching the leaders of that party: she would not even confine any considerable number of them: and the catholics, sensible of this good usage, generally expressed great zeal for the public service. Some gentlemen of that sect, conscious that they could not expect any trust or authority, entered themselves as volunteers in the fleet or army:⁵⁸ some equipped ships at their own charge, and gave the command of them to protestants: others were active in animating their tenants, and vassals, and neighbours, to the defence of their country: and every rank of men, burying for the present all party distinctions, seemed to prepare themselves with order as well as vigour to resist the violence of these invaders.

The more to excite the martial spirit of the nation, the queen appeared on horseback in the camp at Tilbury; and riding through the lines, discovered a cheerful and animated countenance, exhorted the soldiers to remember their duty to their country and their religion, and professed her intention, though a woman, to lead them herself into the field against the enemy, and rather to perish in battle than survive the ruin and slavery of her people. [*See note M, at the end of this Vol.*] By this spirited behaviour she revived the tenderness and admiration of the soldiery: an attachment to her person became a kind of enthusiasm among them: and they asked one another, Whether it were possible that Englishmen could abandon this glorious cause, could display less fortitude than appeared in the female sex, or could ever by any dangers be induced to relinquish the defence of their heroic princess?

The Spanish Armada was ready in the beginning of May, but the moment it was preparing to sail, the marquis of Santa Croce, the admiral, was seized with a fever, of which he soon after died. The vice-admiral, the duke of Paliano, by a strange concurrence of accidents, at the very same time suffered the same fate; and the king appointed for admiral the duke of Medina Sidonia, a nobleman of great family, but unexperienced in action, and entirely unacquainted with sea affairs. Alcarede was appointed vice-admiral. This misfortune, besides the loss of so great an officer as Santa Croce, retarded the sailing of the Armada, and gave the English more time for their preparations to oppose them. At last the Spanish fleet, full of hopes and alacrity, set sail from Lisbon (29th May); but next day met with a violent tempest, which scattered the ships, sunk some of the smallest, and forced the rest to take shelter in the Groize, where they waited till they could be refitted. When news of this event was carried to England, the queen

concluded that the design of an invasion was disappointed for this summer; and being always ready to lay hold on every pretence for saving money, she made Walsingham write to the admiral, directing him to lay up some of the larger ships, and to discharge the seamen: but lord Effingham, who was not so sanguine in his hopes, used the freedom to disobey these orders; and he begged leave to retain all the ships in service, though it should be at his own expence.⁵⁹ He took advantage of a north wind, and sailed towards the coast of Spain, with an intention of attacking the enemy in their harbours; but the wind changing to the south, he became apprehensive lest they might have set sail, and by passing him at sea, invade England, now exposed by the absence of the fleet. He returned, therefore, with the utmost expedition to Plymouth, and lay at anchor in that harbour.

Meanwhile, all the damages of the Armada were repaired; and the Spaniards with fresh hopes set out again to sea, in prosecution of their enterprise. The fleet consisted of a hundred and thirty vessels, of which near a hundred were galleons, and were of greater size than any ever before used in Europe. It carried on board nineteen thousand two hundred and ninety-five soldiers, eight thousand four hundred and fifty-six mariners, two thousand and eighty-eight galley-slaves, and two thousand six hundred and thirty great pieces of brass ordnance. It was victualled for six months; and was attended by twenty lesser ships, called caravals, and ten salves with six oars a-piece.⁶⁰

THE ARMADA ARRIVES IN THE CHANNEL. July 19.

THE plan formed by the king of Spain was, that the Armada should sail to the coast opposite to Dunkirk and Newport; and having chased away all English or Flemish vessels, which might obstruct the passage (for it was never supposed they could make opposition), should join themselves with the duke of Parma, should thence make sail to the Thames, and having landed the whole Spanish army, thus complete at one blow the entire conquest of England. In prosecution of this scheme, Philip gave orders to the duke of Medina, that in passing along the channel, he should sail as near the coast of France as he could with safety: that he should by this policy avoid meeting with the English fleet; and, keeping in view the main enterprise, should neglect all smaller successes, which might prove an obstacle, or even interpose a delay, to the acquisition of a kingdom.⁶¹ After the Armada was under sail, they took a fisherman, who informed them that the English admiral had been lately at sea, had heard of the tempest

which scattered the Armada, had retired back into Plymouth, and no longer expecting an invasion this season, had laid up his ships, and discharged most of the seamen. From this false intelligence the duke of Medina conceived the great facility of attacking and destroying the English ships in harbour; and he was tempted by the prospect of so decisive an advantage to break his orders, and make sail directly for Plymouth: a resolution which proved the safety of England. The Lizard was the first land made by the Armada, about sunset; and as the Spaniards took it for the Ram-head near Plymouth, they bore out to sea with an intention of returning next day, and attacking the English navy. They were described by Fleming, a Scottish pirate, who was roving in those seas, and who immediately set sail to inform the English admiral of their approach;⁶² another fortunate event which contributed extremely to the safety of the fleet. Effingham had just time to get out of port, when he saw the Spanish Armada coming full sail towards him, disposed in the form of a crescent, and stretching the distance of seven miles from the extremity of one division to that of the other.

The writers of that age raise their style by a pompous description of this spectacle; the most magnificent that had ever appeared upon the ocean, infusing equal terror and admiration into the minds of all beholders. The lofty masts, the swelling sails, and the towering prows of the Spanish galleons, seem impossible to be justly painted, but by assuming the colours of poetry; and an eloquent historian of Italy, in imitation of Camden, has asserted, that the Armada, though the ships bore every sail, yet advanced with a slow motion; as if the ocean groaned with supporting, and the winds were tired with impelling, so enormous a weight.⁶³ The truth, however, is, that the largest of the Spanish vessels would scarcely pass for third rates in the present navy of England; yet they were so ill framed, or so ill governed, that they were quite unwieldy, and could not sail upon a wind, nor tack on occasion, nor be managed in stormy weather by the seamen. Neither the mechanics of ship-building, nor the experience of mariners, had attained so great perfection as could serve for the security and government of such bulky vessels; and the English, who had already had experience how unserviceable they commonly were, beheld without dismay their tremendous appearance.

Effingham gave orders not to come to close fight with the Spaniards; where the size of the ships, he suspected, and the numbers of the soldiers, would be a disadvantage to the English; but to cannonade them at a distance, and to wait the opportunity which winds, currents, or various accidents, must afford him, of inter-

cepting some scattered vessels of the enemy. Nor was it long before the event answered expectation. A great ship of Biscay, on board of which was a considerable part of the Spanish money, took fire by accident; and while all hands were employed in extinguishing the flames, she fell behind the rest of the Armada: the great galleon of Andalusia was detained by the springing of her mast and both these vessels were taken after some resistance, by sir Francis Drake. As the Armada advanced up the channel, the English hung upon its rear, and still infested it with skirmishes. Each trial abated the confidence of the Spaniards, and added courage to the English; and the latter soon found, that even in close fight the size of the Spanish ships was no advantage to them. Their bulk exposed them the more to the fire of the enemy; while their cannon, placed too high, shot over the heads of the English. The alarm having now reached the coast of England, the nobility and gentry hastened out with their vessels from every harbour, and reinforced the admiral. The earls of Oxford, Northumberland, and Cumberland, sir Thomas Cecil, sir Robert Cecil, sir Walter Raleigh, sir Thomas Vavasor, sir Thomas Gerrard, sir Charles Blount, with many others, distinguished themselves by this generous and disinterested service of their country. The English fleet, after the conjunction of those ships, amounted to a hundred and forty sail.

The Armada had now reached Calais, and cast anchor before that place; in expectation that the duke of Parma, who had gotten intelligence of their approach, would put to sea and join his forces to them. The English admiral practised here a successful stratagem upon the Spaniards. He took eight of his smaller ships, and filling them with all combustible materials, sent them one after another into the midst of the enemy. The Spaniards fancied that they were fireships of the same contrivance with a famous vessel which had lately done so much execution in the Scheldt near Antwerp; and they immediately cut their cables, and took to flight with the greatest disorder and precipitation. The English fell upon them next morning while in confusion; and besides doing great damage to other ships, they took or destroyed about twelve of the enemy.

By this time it was become apparent, that the intention for which these preparations were made by the Spaniards, was entirely frustrated. The vessels provided by the duke of Parma were made for transporting soldiers, not for fighting; and that general, when urged to leave the harbour, positively refused to expose his flourishing army to such apparent hazard; while the English not only were able to keep the sea, but seemed even to triumph

over their enemy. The Spanish admiral found, in many rencounters, that while he lost so considerable a part of his own navy, he had destroyed only one small vessel of the English; and he foresaw, that by continuing so unequal a combat, he must draw inevitable destruction on all the remainder. He prepared therefore to return homewards; but as the wind was contrary to his passage through the channel, he resolved to sail northwards, and making the tour of the island, reach the Spanish harbours by the ocean. The English fleet followed him during some time; and had not their ammunition fallen short, by the negligence of the officers in supplying them, they had obliged the whole Armada to surrender at discretion. The duke of Medina had once taken that resolution; but was diverted from it by the advice of his confessor. This conclusion of the enterprise would have been more glorious to the English; but the event proved almost equally fatal to the Spaniards. A violent tempest overtook the Armada after it passed the Orkneys: the ships had already lost their anchors, and were obliged to keep to sea: the mariners, unaccustomed to such hardships, and not able to govern such unwieldy vessels, yielded to the fury of the storm, and allowed their ships to drive either on the western isles of Scotland, or on the coast of Ireland, where they were miserably wrecked. Not a half of the navy returned to Spain; and the seamen as well as soldiers who remained, were so overcome with hardships and fatigue, and so dispirited by their discomfiture, that they filled all Spain with accounts of the desperate valour of the English, and of the tempestuous violence of that ocean which surrounds them.

Such was the miserable and dishonourable conclusion of an enterprise which had been preparing for three years, which had exhausted the revenue and force of Spain, and which had long filled all Europe with anxiety or expectation. Philip, who was a slave to his ambition, but had an entire command over his countenance, no sooner heard of the mortifying event which blasted all his hopes, than he fell on his knees, and rendering thanks for that gracious dispensation of Providence, expressed his joy that the calamity was not greater. The Spanish priests, who had so often blest this holy crusade, and foretold its infallible success, were somewhat at a loss to account for the victory gained over the catholic monarch by excommunicated heretics and an execrable usurper: but they at last discovered, that all the calamities of the Spaniards had proceeded from their allowing the infidel Moors to live among them. [See note N, at the end of this Vol.]

1589. Soon after the defeat and dispersion of the Spanish Armada, the queen summoned a new parliament (4th Feb.)⁵ and received from them a supply of two subsidies and four

fifteenths, payable in four years. This is the first instance that subsidies were doubled in one supply; and so unusual a concession was probably obtained from the joy of the present success, and from the general sense of the queen's necessities. Some members objected to this heavy charge, on account of the great burthen of loans which had lately been imposed upon the nation. [See note O, at the end of this Vol.]

A PARLIAMENT.

ELIZABETH foresaw, that this house of commons, like all the foregoing, would be governed by the puritans; and therefore, to obviate their enterprises, she renewed at the beginning of the session her usual injunction, that the parliament should not on any account presume to treat of matters ecclesiastical. Notwithstanding this strict inhibition, the zeal of one Dampport moved him to present a bill to the commons for remedying spiritual grievances, and for restraining the tyranny of the ecclesiastical commission, which were certainly great: but when Mr. secretary Woley reminded the house of her majesty's commands, no one durst second the motion; the bill was not so much as read; and the speaker returned it to Dampport without taking the least notice of it.⁶⁴ Some members of the house, notwithstanding the general submission, were even committed to custody on account of this attempt.⁶⁵

The imperious conduct of Elizabeth appeared still more clearly in another parliamentary transaction. The right of purveyance was an ancient prerogative, by which the officers of the crown could at pleasure take provisions for the household from all the neighbouring counties, and could make use of the carts and carriages of the farmers; and the price of these commodities and services was fixed and stated. The payment of the money was often distant and uncertain; and the rates, being fixed before the discovery of the West Indies, were much inferior to the present market price; so that purveyance, besides the slavery of it, was always regarded as a great burthen, and being arbitrary and casual, was liable to great abuses. We may fairly presume, that the hungry courtiers of Elizabeth, supported by her unlimited power, would be sure to render this prerogative very oppressive to the people; and the commons had last session found it necessary to pass a bill for regulating these exactions: but the bill was lost in the house of peers.⁶⁶ The continuance of the abuses begat a new attempt for redress; and the same bill was now revived, and again sent up to the house of peers, together with a bill for some new regulations in the court of exchequer. Soon after the commons received a

message from the upper house, desiring them to appoint a committee for a conference. At this conference the peers informed them, that the queen, by a message delivered by lord Burleigh, had expressed her displeasure, that the commons should presume to touch on her prerogative. If there were any abuses, she said, either in imposing purveyance, or in the practice of the court of exchequer, her majesty was both able and willing to provide due reformation; but would not permit the parliament to intermeddle in these matters.⁶⁷ The commons, alarmed at this intelligence, appointed another committee to attend the queen, and endeavour to satisfy her of their humble and dutiful intentions. Elizabeth gave a gracious reception to the committee: she expressed her great *inestimable loving care* towards her loving subjects; which, she said, was greater than of her own self, or even than any of them could have of themselves. She told them, that she had already given orders for an inquiry into the abuses attending purveyance, but the dangers of the Spanish invasion had retarded the progress of the design; that she had as much skill, will, and power to rule her household as any subjects whatsoever to govern theirs, and needed as little the assistance of her neighbours; that the exchequer was her chamber, consequently more near to her than even her household, and therefore the less proper for them to intermeddle with; and that she would of herself, with advice of her council and the judges, redress every grievance in these matters, but would not permit the commons, by laws moved without her privy, to bereave her of the honour attending these regulations.⁶⁸ The issue of this matter was the same that attended all contests between Elizabeth and her parliament.⁶⁹ She seems even to have been more imperious in this particular than her predecessors; at least her more remote ones: for they often permitted the abuses of purveyance [*See note P, at the end of this Vol.*] to be redressed by law.⁷⁰ Edward III. a very arbitrary prince, allowed ten several statutes to be enacted for that purpose.

In so great awe did the commons stand of every courtier, as well as of the crown, that they durst use no freedom of speech which they thought would give the least offence to any of them. Sir Edward Hobby showed in the house his extreme grief, that by some great personage, not a member of the house, he had been sharply rebuked for speeches delivered in parliament: he craved the favour of the house, and desired that some of the members might inform that great personage of his true meaning and intention in these speeches.⁷¹ The commons, to obviate these inconveniences, passed a vote that no one should reveal the secrets of the house.⁷²

EXPEDITION AGAINST PORTUGAL.

THE discomfiture of the Armada had begotten in the nation a kind of enthusiastic passion for enterprises against Spain; and nothing seemed now impossible to be achieved by the valour and fortune of the English. Don Antonio, prior of Crato, a natural son of the royal family of Portugal, trusting to the aversion of his countrymen against the Castilians, had advanced a claim to the crown; and flying first to France, thence to England, had been encouraged, both by Henry and Elizabeth in his pretensions. A design was formed by the people, not the court of England, to conquer the kingdom for don Antonio: sir Francis Drake and sir John Norris were the leaders in this romantic enterprise: near twenty thousand volunteers⁷³ enlisted themselves in the service; and ships were hired, as well as arms provided, at the charge of the adventurers. The queen's frugality kept her from contributing more than sixty thousand pounds to the expence; and she only allowed six of her ships of war to attend the expedition.⁷⁴ There was more spirit and bravery, than foresight or prudence, in the conduct of this enterprise. The small stock of the adventurers did not enable them to buy either provisions or ammunition sufficient for such an undertaking: they even wanted vessels to stow the numerous volunteers who crowded to them; and they were obliged to seize by force some ships of the Hanse Towns, which they met with at sea: an expedient which set them somewhat more at ease in point of room for their men, but remedied not the deficiency of their provisions.⁷⁵ Had they sailed directly to Portugal, it is believed that the good-will of the people, joined to the defenceless state of the country, might have ensured them of success: but hearing that great preparations were making at the Groine for the invasion of England, they were induced to go thither, and destroy this new armament of Spain. They broke into the harbour, burned some ships of war, particularly one commanded by Recalde, vice-admiral of Spain; they defeated an army of four or five thousand men, which was assembled to oppose them; they assaulted the Groine, and took the lower town, which they pillaged; and they would have taken the higher, though well fortified, had they not found their ammunition and provisions beginning to fail them. The young earl of Essex, a nobleman of promising hopes, fired with the thirst of military honour, had secretly, unknown to the queen, stolen from England, here joined the adventurers; and it was then agreed by common consent to make sail for Portugal, the main object of their enterprise.

The English landed at Paniche, a sea-port town, twelve leagues from Lisbon; and Norris led the army to that capital, while Drake

undertook to sail up the river, and attack the city with united forces. By this time the court of Spain had gotten leisure to prepare against the invasion. Forces were thrown into Lisbon: the Portuguese were disarmed: all suspected persons were taken into custody: and thus, though the inhabitants bore great affection to don Antonio, none of them durst declare in favour of the invaders. The English army, however, made themselves masters of the suburbs, which abounded with riches of all kinds; but as they desired to conciliate the affections of the Portuguese, and were more intent on honour than profit, they observed a strict discipline, and abstained from all plunder. Meanwhile they found their ammunition and provision much exhausted; they had not a single cannon to make a breach in the walls; the admiral had not been able to pass some fortresses, which guarded the river; there was no appearance of an insurrection in their favour; sickness, from fatigue, hunger, and intemperance in wine and fruits, had seized the army: so that it was found necessary to make all possible haste to re-embark. They were not pursued by the enemy; and finding at the mouth of the river sixty ships laden with naval stores, they seized them as lawful prize; though they belonged to the Hanse Towns, a neutral power. They sailed thence to Vigo, which they took and burned; and having ravaged the country around, they set sail and arrived in England. Above half of these gallant adventurers perished by sickness, famine, fatigue and the sword;⁷⁶ and England reaped more honour than profit from this extraordinary enterprise. It is computed that eleven hundred gentlemen embarked on board the fleet, and that only three hundred and fifty survived those multiplied disasters.⁷⁷

When these ships were on their voyage homewards, they met with the earl of Cumberland, who was outward bound with a fleet of seven sail, all equipped at his own charge, except one ship of war which the queen had lent him. That nobleman supplied sir Francis Drake with some provisions; a generosity which saved the lives of many of Drake's men, but for which the others afterwards suffered severely. Cumberland sailed towards the Terceiras, and took several prizes from the enemy; but the richest, valued at a hundred thousand pounds, perished in her return, with all her cargo, near St. Michael's Mount in Cornwall. Many of these adventurers were killed in a rash attempt at the Terceiras; a great mortality seized the rest: and it was with difficulty that the few hands which remained were able to steer the ships back into harbour.⁷⁸

AFFAIRS OF SCOTLAND.

THOUGH the signal advantages gained over the Spaniards, and the spirit thence infused

into the English, gave Elizabeth great security during the rest of her reign, she could not forbear keeping an anxious eye on Scotland, whose situation rendered its revolutions always of importance to her. It might have been expected, that this high-spirited princess, who knew so well to brave danger, would not have retained that malignant jealousy towards her heir, with which, during the lifetime of Mary, she had been so much agitated. James had indeed succeeded to all the claims of his mother; but he had not succeeded to the favour of the catholics, which could alone render these claims dangerous;⁷⁹ and as the queen was now well advanced in years, and enjoyed an uncontrolled authority over her subjects, it was not likely that the king of Scots, who was of an indolent unambitious temper, would ever give her any disturbance in her possession of the throne. Yet all these circumstances could not remove her timorous suspicions: and so far from satisfying the nation by a settlement of the succession, or a declaration of James's title, she was as anxious to prevent every incident which might anywise raise his credit, or procure him the regard of the English, as if he had been her immediate rival and competitor. Most of his ministers and favourites were her pensioners; and as she was desirous to hinder him from marrying and having children, she obliged them to throw obstacles in the way of every alliance, even the most reasonable, which could be offered him; and during some years she succeeded in this malignant policy.⁸⁰ He had fixed on the elder daughter of the king of Denmark, who being a remote prince and not powerful, could give her no umbrage; yet did she so artfully cross this negotiation, that the Danish monarch, impatient of delay, married his daughter to the duke of Brunswick. James then renewed his suit to the younger princess, and still found obstacles from the intrigues of Elizabeth, who, merely with a view of interposing delay, proposed to him the sister of the king of Navarre, a princess much older than himself, and entirely destitute of fortune. The young king, besides the desire of securing himself by the prospect of issue, from those traitorous attempts, too frequent among his subjects, had been so watched by the rigid austerity of the ecclesiastics, that he had another inducement to marry, which is not so usual with monarchs. His impatience therefore broke through all the politics of Elizabeth: the articles of marriage were settled: the ceremony was performed by proxy: and the princess embarked for Scotland; but was driven by a storm into a port of Norway. This tempest, and some others, which happened near the same time, were universally believed in Scotland and Denmark to have proceeded from a combination of the Scottish and Danish witches; and the dying

confession of the criminals was supposed to put the accusation beyond all controversy.⁸¹ James, however, though a great believer in sorcery, was not deterred by this incident from taking a voyage in order to conduct his bride home; he arrived in Norway; carried the queen thence to Copenhagen; and having passed the winter in that city, he brought her next spring to Scotland, where they were joyfully received by the people. The clergy alone, who never neglected an opportunity of vexing their prince, made opposition to the queen's coronation, on account of the ceremony of anointing her, which they alleged was either a Jewish or a popish rite; and therefore utterly antichristian and unlawful. But James was as much bent on the ceremony as they were averse to it; and after much controversy, and many intrigues, his authority, which had not often happened, at last prevailed over their opposition.⁸²

NOTES.

- 1 Digges, p. 139. Haynes, p. 507.
- 2 Murden's State Papers, p. 517.
- 3 Camden, p. 515.
- 4 Camden, p. 515. State Trials, p. 114.
- 5 State Trials, vol. i. p. 111.
- 6 State Trials, vol. i. p. 135. Camden, p. 515.
- 7 Camden, p. 518.
- 8 Camden, p. 523.
- 9 State Trials, vol. i. p. 158.
- 0 State Trials, vol. i. p. 111.
- 1 Queen Elizabeth was willing to have allowed Curle and Nan to be produced in the trial, and writes to that purpose to Burleigh and Walsingham, in her letter of the 7th of October, in Torber's MS. collection. She only says, that she thinks it needless, though she was willing to agree to it. The not confronting of the witnesses was not the result of design, but the practice of the age.
- Camden, p. 526.
- 2 D'Ewes, p. 375.
- 3 D'Ewes, p. 375.
- 4 D'Ewes, p. 402, 403.
- 5 Camden, p. 526.
- 6 Jebb, vol. ii. p. 297.
- 7 Camden, p. 529. Jebb, vol. ii. p. 295.
- 8 Camden, p. 524.
- 9 De Martier.
- 10 Spotswood, p. 351.
- 11 Spotswood, p. 353.
- 12 Spotswood, p. 351.
- 13 Digges, p. 276. Strype, vol. ii. p. 48. 135, 136, 139.
- 14 Camden, p. 533.
- 15 Camden, p. 535.
- 16 Camden, p. 534.
- 17 It appears by some letters published by Strype, vol. ii. book ii. c. 1. that Elizabeth had not expressly communicated her intention to any of her ministers, not even to Burleigh; they were such experienced courtiers, that they knew they could not gratify her more than by serving her without waiting till she desired them.
- 29 Camden, p. 534. Jebb, vol. ii. p. 301. MS. in the Advocate's Library, p. 2. from the Cott. Lib. Cal. c. 9.
- 30 Jebb, vol. ii. p. 302.
- 31 Jebb, vol. ii. p. 489.
- 32 Jebb, vol. ii. p. 302, 626. Camden, p. 534.
- 33 Jebb, vol. ii. p. 489.
- 34 MS. p. 4. Jebb, vol. ii. p. 634.
- Strype, vol. iii. p. 384.
- 35 MS. p. 8, 9, 10, 11. Strype, vol. iii. p. 485.
- 36 MS. p. 15. Jebb, vol. ii. p. 307. 491, 617.
- 37 Jebb, vol. ii. p. 307. 491, 637.
- 38 Jebb, vol. ii. p. 307. 492.
- 39 Camden, p. 536. Strype, vol. iii. Appendix, p. 145. Jebb, vol. ii. p. 608.
- 40 Camden, p. 536. Spotswood, p. 358.
- 41 Camden, p. 538.
- 42 Camden, p. 538. Strype, vol. iii. p. 375, 376. MS. in the Advocate's Library, A. 1. 28. p. 17. From the Cott. Lib. Cal. c. 9. Biogr. Brit. p. 1625, 1627.
- 43 Strype, vol. iii. p. 377. Spotswood.
- 44 Camden, p. 540. Sir William Monson's Naval Tracts in Churchill's Voyages, vol. iii. p. 156.
- 45 Birch's Memoirs, vol. i. p. 57.
- 16 Bentivoglio, part ii. lib. iv. Strype, vol. iv. No. 246.
- 47 Rymer, tom. xv. p. 66.
- 48 Camden. Strype, vol. iii. p. 512.
- 49 Bentivoglio, part 2^d lib. iv.
- 50 Monson, p. 256.
- 51 Monson, p. 258.
- 52 Monson, p. 157.
- 53 Monson, p. 321.
- 54 Monson, p. 267.
- 55 Ives of the Admirals, vol. i. p. 451.
- 56 She made him some promises which she never fulfilled, to give him a dukedom in England, with suitable lands and revenue, to settle 5000*l.* a year on him, and pay him a guard, for the safety of his person. From a MS. of Lord Royston's.
- 57 Strype, vol. iii. p. 521.
- 58 Stone, p. 747.
- 59 Camden, p. 545.
- 60 Strype, vol. iii. Appendix, p. 221.
- 61 Monson, p. 157.
- 62 Monson, p. 158.
- 63 Bentivoglio, part 2. lib. iv.
- 64 D'Ewes, p. 438.
- 65 Strype's Life of Whitgift, p. 280. Neal, vol. i. p. 500.
- 66 D'Ewes, p. 434.
- 67 D'Ewes, p. 430.
- 68 D'Ewes, p. 444.
- 69 *Sic ut est, ubi tu pulas, ego impulo tantum.* Juv.
- 70 See the Statutes under the head of purveyance.
- 71 D'Ewes, p. 439, 439.
- 72 An act was passed this session, enforcing the former statute, which imposed twenty pounds a month, on every one absent from public worship; but the penalty was restricted to two-thirds of the income of the recusant. 29 Elizabeth, cap. 6.
- 73 Birch's Memoirs of Queen Elizabeth, vol. i. p. 69. Monson, p. 267, says, that there were only fourteen thousand soldiers and four thousand seamen in the whole on this expedition: but the account contained in Dr. Birch, is given by one of the most considerable of the adventurers.
- 74 Monson, p. 267.
- 75 Monson, p. 159.
- 76 Birch's Memoirs, vol. i. p. 61.
- 77 Birch's Memoirs, vol. i. p. 61.
- 78 Monson, p. 161.
- 79 Winwood, vol. i. p. 41.
- 80 Melvil, p. 166, 177.
- 81 Melvil, p. 180.
- 82 Spotswood, p. 281.

CHAPTER XLIII.

French Affairs.—Murder of the Duke of Guise.—Murder of Henry III.—Progress of Henry IV.—Naval Enterprises against Spain.—A Parliament.—Henry IV. embraces the Catholic Religion.—Scotch Affairs.—Naval Enterprises.—A Parliament.—Peace of Vervins.—The Earl of Essex.

1590. **A**FTER a state of great anxiety and many difficulties, Elizabeth had at length reached a situation where, though her affairs still required attention, and found employment for her active spirit, she was removed from all danger of any immediate revolution, and might regard the efforts of her enemies with some degree of confidence and security. Her successful and prudent administration had gained her, together with the admiration of foreigners, the affections of her own subjects; and after the death of the queen of Scots, even the catholics, however discontented, pretended not to dispute her title or adhere to any other person as her competitor. James, curbed by his factious nobility and ecclesiastics, possessed at home very little authority; and was solicitous to remain on good terms with Elizabeth and the English nation, in hopes that time, aided by his patient tranquillity, would secure him that rich succession to which his birth entitled him. The Hollanders, though overmatched in their contest with Spain, still made an obstinate resistance; and such was their unconquerable antipathy to their old masters, and such the prudent conduct of young Maurice, their governor, that the subduing of that small territory, if at all possible, must be the work of years, and the result of many and great successes. Philip, who, in his powerful effort against England had been transported by resentment and ambition beyond his usual cautious maxims, was now disabled, and still more discouraged, from adventuring again on such hazardous enterprises. The situation also of affairs in France began chiefly to employ his attention; but notwithstanding all his artifice, and force, and expense, the events in that kingdom proved every day more contrary to his expectations, and more favourable to the friends and confederates of England.

FRENCH AFFAIRS.

THE violence of the league having constrained Henry to declare war against the hugonots, these religionists seemed exposed to the utmost danger; and Elizabeth, sensible of the intimate connection between her own interests and those of that party, had supported the

king of Navarre by her negotiations in Germany, and by large sums of money, which she remitted for levying forces in that country. This great prince, not discouraged by the superiority of his enemies, took the field; and in the year 1587 gained at Coutras, a complete victory over the army of the French king; but as his allies, the Germans, were at the same time discomfited by the army of the league, under the duke of Guise, his situation, notwithstanding his victory, seemed still as desperate as ever. The chief advantage which he reaped by this diversity of success arose from the dissensions which by that means took place among his enemies. The inhabitants of Paris, intoxicated with admiration of Guise, and strongly prejudiced against their king, whose intentions had become suspicious to them, took to arms, and obliged Henry to fly for his safety. That prince, dissembling his resentment, entered into a negotiation with the league; and having conferred many high offices on Guise and his partisans, summoned an assembly of the states at Blois, on pretence of finding expedients to support the intended war against the hugonots. The various scenes of perfidy and cruelty, which had been exhibited in France, had justly begotten a mutual diffidence among all parties; yet Guise, trusting more to the timidity than honour of the king, rashly put himself into the hands of that monarch, and expected, by the ascendant of his own genius, to make him submit to all his exorbitant pretensions. Henry, though of an easy disposition, not steady to his resolutions, or even to his promises, wanted neither courage nor capacity; and finding all his subtleties eluded by the vigour of Guise, and even his throne exposed to the most imminent danger, he embraced more violent counsels than were natural to him, and ordered that prince and his brother, the cardinal of Guise, to be assassinated in his palace.

This cruel execution, which the necessity of it alone could excuse, had nearly proved fatal to the author, and seemed at first to plunge him into greater dangers than those which he sought to avoid by taking vengeance on his enemy. The partisans of the league were inflamed with the utmost rage against him: the populace every where, particularly at Paris,

renounced allegiance to him : the ecclesiastics and the preachers filled all places with execrations against his name : and the most powerful cities and most opulent provinces, appeared to combine in a resolution, either of renouncing monarchy, or of changing their monarch.

MURDER OF HENRY THE THIRD.

HENRY, finding slender resources against his catholic subjects, was constrained to enter into a confederacy with the hugonots and the king of Navarre : he enlisted large bodies of Swiss infantry and German cavalry : and being still supported by his chief nobility, he assembled by all these means an army of near forty thousand men, and advanced to the gates of Paris, ready to crush the league, and subdue all his enemies. The desperate resolution of one man diverted the course of these great events. Jaques Clement, a Dominican friar, inflamed by that bloody spirit of bigotry which distinguishes this century, and a great part of the following, beyond all ages of the world, embraced the resolution of sacrificing his life, in order to save the church from the persecutions of an heretical tyrant ; and, being admitted under some pretext, to the king's presence, he gave that prince a mortal wound, and was immediately put to death by the courtiers, who hastily revenged the murder of their sovereign. This memorable incident happened on the first of August 1599.

The king of Navarre, next heir to the crown, assumed the government by the title of Henry IV. but succeeded to much greater difficulties than those which surrounded his predecessor. The prejudices entertained against his religion, made a great part of the nobility immediately desert him ; and it was only by his promise of hearkening to conferences and instruction, that he could engage any of the catholics to adhere to his undoubted title. The league, governed by the duke of Mayenne, brother to Guise, gathered new force, and the king of Spain entertained views, either of dismembering the French monarchy, or of annexing the whole to his own dominions. In these distressful circumstances Henry addressed himself to Elizabeth, and found her well-disposed to contribute to his assistance, and to oppose the progress of the catholic league, and of Philip, her inveterate and dangerous enemies. To prevent the desertion of his Swiss and German auxiliaries, she made him a present of twenty-two thousand pounds, a greater sum than, as he declared, he had ever seen before : and she sent him a reinforcement of four thousand men, under lord Willoughby, an officer of reputation, who joined the French at Dieppe. Strengthened by these supplies, Henry marched directly to Paris ; and having taken the suburbs sword in hand, he abandoned them

to be pillaged by his soldiers. He employed this body of English in many other enterprises, and still found reason to praise their courage and fidelity. The time of their service being elapsed, he dismissed them with many high commendations. Sir William Drury, sir Thomas Baskerville, and sir John Borroughs, acquired reputation this campaign, and revived in France the ancient fame of English valour.

PROGRESS OF HENRY THE FOURTH.

THE army, which Henry next campaign led into the field, was much inferior to that of the league ; but as it was composed of the chief nobility of France, he feared not to encounter his enemies in a pitched battle at Yvrée, and he gained a complete victory over them. This success enabled him to blockade Paris, and he reduced that capital to the last extremity of famine : when the duke of Parma, in consequence of orders from Philip, marched to the relief of the league, and obliged Henry to raise the blockade. Having performed this important service, he retreated to the Low Countries ; and, by his consummate skill in the art of war, performed these long marches in the face of the enemy, without affording the French monarch that opportunity which he sought, of giving him battle, or so much as once putting his army in disorder. The only loss which he sustained was in the Low Countries, where prince Maurice took advantage of his absence, and recovered some places which the duke of Parma had formerly conquered from the States. [See note Q, at the end of this Vol.]

1591. The situation of Henry's affairs, though promising, was not so well advanced or established as to make the queen discontinue her succours ; and she was still more confirmed in the resolution of supporting him by some advantages gained by the king of Spain. The duke of Mercœur, governor of Brittany, a prince of the house of Lorraine, had declared for the league ; and finding himself hard pressed by Henry's forces, he had been obliged, in order to secure himself, to introduce some Spanish troops into the sea-port towns of that province. Elizabeth was alarmed at the danger ; and foresaw that the Spaniards, besides infesting the English commerce by privateers, might employ these harbours as the seat of their naval preparations, and might more easily from that vicinity, than from Spain or Portugal, project an invasion of England. She concluded therefore a new treaty with Henry, in which she engaged to send over three thousand men, to be employed in the reduction of Brittany, and she stipulated that her charges should, in a twelvemonth, or as soon as the enemy was expelled, be refunded her.¹ These forces were commanded by sir John Norris,

and under him by his brother Henry, and by Anthony Shirley. Sir Roger Williams was at the head of a small body which garrisoned Dieppe: and a squadron of ships, under the command of sir Henry Palmer, lay upon the coast of France, and intercepted all the vessels belonging to the Spaniards or the leaguers.

The operations of war can very little be regulated beforehand by any treaty or agreement; and Henry, who found it necessary to lay aside the projected enterprise against Brittany, persuaded the English commanders to join his army, and to take a share in the hostilities which he carried into Picardy.² Notwithstanding the disgust which Elizabeth received from this disappointment, he laid before her a plan for expelling the leaguers from Normandy, and persuaded her to send over a new body of four thousand men to assist him in that enterprise. The earl of Essex was appointed general of these forces; a young nobleman, who, by many exterior accomplishments, and still more real merit, was daily advancing in favour with Elizabeth, and seemed to occupy that place in her affections which Leicester, now deceased, had so long enjoyed. Essex, impatient for military fame, was extremely uneasy to lie some time at Dieppe unemployed; and had not the orders which he received from his mistress been so positive, he would gladly have accepted of Henry's invitation, and have marched to join the French army now in Champagne. This plan of operations was also proposed to Elizabeth by the French ambassador, but she rejected it with great displeasure; and she threatened immediately to recall her troops, if Henry should persevere any longer in his present practice, of breaking all concert with her, and attending to nothing but his own interests.³ Urged by these motives, the French king at last led his army into Normandy, and laid siege to Roüen, which he reduced to great difficulties. But the league, unable of themselves to take the field against him, had again recourse to the duke of Parma, who received orders to march to their relief. He executed this enterprise with his usual abilities and success; and, for the present, frustrated all the projects of Henry and Elizabeth. This princess, who kept still in view the interests of her own kingdom in all her foreign transactions, was impatient under these disappointments, blamed Henry for his negligence in the execution of treaties, and complained that the English forces were thrust foremost in every hazardous enterprise.⁴ It is probable, however that their own ardent courage, and their desire of distinguishing themselves in so celebrated a theatre of war, were the causes why they so often enjoyed this perilous honour.

Notwithstanding the indifferent success of

former enterprises, the queen was sensible how necessary it was to support Henry against the league and the Spaniards; and she formed a new treaty with him, in which they agreed never to make peace with Philip, but by common consent; she promised to send him a new supply of four thousand men; and he stipulated to repay her charges in a twelve-month, to employ these forces joined to a body of French troops, in an expedition against Brittany, and to consign into her hands a seaport town of that province, for a retreat to the English.⁵ Henry knew the impossibility of executing some of these articles, and the imprudence of fulfilling others; but finding them rigidly insisted on by Elizabeth, he accepted of her succours, and trusted that he might easily, on some pretence, be able to excuse his failure in executing his part of the treaty. This campaign was the least successful of all those which he had yet carried on against the league.

NAVAL ENTERPRISES AGAINST SPAIN.

DURING these military operations in France, Elizabeth employed her naval power against Philip, and endeavoured to intercept his West Indian treasures, the source of that greatness which rendered him so formidable to all his neighbours. She sent a squadron of seven ships, under the command of lord Thomas Howard, for this service; but the king of Spain, informed of her purpose, fitted out a great force of fifty-five sail, and dispatched them to escort the Indian fleet. They fell in with the English squadron; and, by the courageous obstinacy of sir Richard Grenville, the vice-admiral, who refused to make his escape by flight, they took one vessel, the first English ship of war that had yet fallen into the hands of the Spaniards. [*See note R, at the end of this Vol.*] The rest of the squadron returned safely into England; frustrated of their expectations, but pleasing themselves with the idea that their attempt had not been altogether fruitless in hurting the enemy. The Indian fleet had been so long detained in the Havanna from the fear of the English, that they were obliged at last to set sail in an improper season, and most of them perished by shipwreck ere they reached the Spanish harbours.⁶ The earl of Cumberland made a like unsuccessful enterprise against the Spanish trade. He carried out one ship of the queen's, and seven others equipped at his own expence; but the prizes which he made did not compensate the charges.⁷

1592. The spirit of these expensive and hazardous adventurers was very prevalent in England. Sir Walter Raleigh, who had enjoyed great favour with the queen, finding his interest to decline, determined to recover her good

ances by some important undertaking; and his reputation was high among his countrymen, he persuaded great numbers to engage with him as volunteers in an attempt on the West Indies. The fleet was detained so long in the Channel by contrary winds, that the season was lost: Raleigh was recalled by the queen: sir Martin Frobisher succeeded to the command, and made a privateering voyage against the Spaniards. He took one rich arack near the island of Flores, and destroyed another.⁸ About the same time Thomas White, a Londoner, took two Spanish ships, which, besides fourteen hundred chests of micksilver, contained about two millions of dalls for indulgences; a commodity useless to the English, but which had cost the king of Spain three hundred thousand florins, and could have been sold by him in the Indies for five millions.

A PARLIAMENT. Feb. 19, 1593.

This war did great damage to Spain; but was attended with considerable expence to England; and Elizabeth's ministers computed, that since the commencement of it, she had pent in Flanders and France, and on her naval expeditions, above one million two hundred thousand pounds;⁹ a charge which, notwithstanding her extreme frugality, was too burdensome for her narrow revenues to support. He summoned therefore a parliament in order to obtain a supply: but she either thought her authority so established that she needed to take them no concessions in return, or she hated her power and prerogative above money: or there never was any parliament whom she treated in a more haughty manner, whom she made more sensible of their own weakness, whose privileges she more openly violated. When the speaker, sir Edward Coke, made the three usual requests, of freedom from arrests, of access to her person, and of liberty of speech, she replied to him by the mouth of her buckering, lord keeper, that liberty of speech was granted to the commons, but they must know what liberty they were entitled to; not liberty for every one to speak what he listeth, or what cometh in his brain to utter; their privilege extended no farther than a liberty of Ay or No: that she enjoined the speaker, if he perceived any idle heads so negligent of their own safety as to attempt reforming the church, or innovating in the commonwealth, that he should refuse the bills exhibited for that purpose, till they were examin'd by such as were fittest to consider of these things, and could better judge of them: that she would not impeach the freedom of their persons; but they must beware lest, under colour of this privilege, they imagined that any neglect of their duty could be covered or protected:

and that she would not refuse them access to her person, provided it were upon urgent and weighty causes, and at times convenient, and when she might have leisure from other important affairs of the realm.¹⁰

Notwithstanding the menacing and contemptuous air of this speech, the intrepid and indefatigable Peter Wentworth, not discouraged by his former ill success, ventured to transgress the imperial orders of Elizabeth. He presented to the lord keeper a petition, in which he desired the upper house to join with the lower in a supplication to her majesty for entailing the succession of the crown; and he declared that he had a bill ready prepared for that purpose. This method of proceeding was sufficiently respectful and cautious; but the subject was always extremely disagreeable to the queen, and what she had expressly prohibited any one from meddling with: she sent Wentworth immediately to the Tower; committed sir Thomas Bromley, who had seconded him, to the Fleet prison, together with Stevens and Welsh, two members to whom sir Thomas had communicated his intention.¹¹ About a fortnight after, a motion was made in the house, to petition the queen for the release of these members; but it was answered by all the privy-counsellors there present, that her majesty had committed them for causes best known to herself, and that to press her on that head would only tend to the prejudice of the gentlemen whom they meant to serve: she would release them whenever she thought proper, and would be better pleased to do it of her own proper motion, than from their suggestion.¹² The house willingly acquiesced in this reasoning.

So arbitrary an act, at the commencement of the session, might well repress all farther attempts for freedom: but the religious zeal of the puritans was not so easily restrained; and it inspired a courage which no human motive was able to surmount. Morrice, chancellor of the duchy, and attorney of the court of wards, made a motion for redressing the abuses in the bishops' courts, but above all, in the high commission; where subscriptions, he said, were exacted to articles at the pleasure of the prelates; where oaths were imposed, obliging persons to answer to all questions without distinction, even though they should tend to their own condemnation; and where every one who refused entire satisfaction to the commissioners was imprisoned, without relief or remedy.¹³ This motion was seconded by some members; but the ministers and privy-counsellors opposed it, and foretold the consequences which ensued. The queen sent for the speaker, and after requiring him to deliver to her Morrice's bill, she told him that it was in her power to call parliaments, in her power to dissolve them, in her power to give

assent or dissent to any determination which they should form: that her purpose in summoning this parliament was twofold, to have laws enacted for the farther enforcement of uniformity in religion, and to provide for the defence of the nation against the exorbitant power of Spain: that these two points ought, therefore, to be the object of their deliberations; she had enjoined them already, by the mouth of the lord keeper, to meddle neither with matters of state nor religion; and she wondered how any one could be so assuming as to attempt a subject so expressly contrary to her prohibition: that she was highly offended with this presumption; and took the present opportunity to reiterate the commands given by the keeper, and to require that no bill, regarding either state affairs, or reformation in causes ecclesiastical, be exhibited in the house: and that, in particular, she charged the speaker upon his allegiance, if any such bills were offered, absolutely to refuse them a reading, and not so much as permit them to be debated by the members.¹⁴ This command from the queen was submitted to without farther question. Morrice was seized in the house itself by a serjeant at arms, discharged from his office of chancellor of the duchy, incapacitated from any practice in his profession as a common lawyer, and kept some years prisoner in Tilbury castle.¹⁵

The queen having thus expressly pointed out both what the house should and should not do, the commons were as obsequious to the one as to the other of her injunctions. They passed a law against recusants; such a law as was suited to the severe character of Elizabeth, and to the persecuting spirit of the age. It was intitled, *An act to retain her majesty's subjects in their due obedience*; and was meant, as the preamble declares, to obviate such inconveniences and perils as might grow from the wicked practices of seditious sectaries and disloyal persons: for these two species of criminals were always, at that time, confounded together, as equally dangerous to the peace of society. It was enacted, that any person above sixteen years of age, who obstinately refused during the space of a month to attend public worship, should be committed to prison; that if after being condemned for this offence, he persist three months in his refusal, he must abjure the realm; and that if he either refuses this condition, or return after banishment, he should suffer capitally as a felon without benefit of clergy.¹⁶ This law bore equally hard upon the puritans and upon the catholics; and, had it not been imposed by the queen's authority, was certainly, in that respect, much contrary to the private sentiments and inclinations of the majority in the house of commons. Very little opposition, however, appears there to have been openly made to it.¹⁷

The expences of the war with Spain having reduced the queen to great difficulties, the grant of subsidies seems to have been the most important business of this parliament; and it was a signal proof of the high spirit of Elizabeth that, while conscious of a present dependence on the commons, she opened the session with the most haughty treatment of them, and covered her weakness under such a lofty appearance of superiority. The commons readily voted two subsidies and four fifteenths; but this sum not appearing sufficient to the court, an unusual expedient was fallen upon to induce them to make an enlargement in their concessions. The peers informed the commons in a conference, that they could not give their consent to the supply voted, thinking it too small for the queen's occasions: they therefore proposed a grant of three subsidies and six fifteenths; and desired a farther conference in order to persuade the commons to agree to this measure. The commons, who had acquired the privilege of beginning bills of subsidy, took offence at this procedure of the lords, and at first absolutely rejected the proposal: but being afraid, on reflection, that they had by this refusal given offence to their superiors, they both agreed to the conference, and afterwards voted the additional subsidy.¹⁸

The queen, notwithstanding this unusual concession of the commons, ended the session with a speech, containing some reprimands to them, and full of the same high pretensions which she had assumed at the opening of the parliament. She took notice, by the mouth of the keeper, that certain members spent more time than was necessary, by indulging themselves in harangues and reasonings: and she expressed her displeasure on account of their not paying due reverence to privy-counsellors, "who," she told them, "were not to be accounted as common knights and burgesses of the house, who are counsellors but during the parliament: whereas the others are standing counsellors, and for their wisdom and great service are called to the council of the state."¹⁹ The queen also, in her own person, made the parliament a spirited harangue; in which she spoke of the justice and moderation of her government, expressed the small ambition she had ever entertained of making conquests, displayed the just grounds of her quarrel with the king of Spain, and discovered how little she apprehended the power of that monarch, even though he should make a greater effort against her than that of his Invincible Armada. "But I am informed," added she, "that when he attempted this last invasion, some upon the sea-coast forsook their towns, fled up higher into the country, and left all naked and exposed to his entrance: but I swear unto you, by God, if I knew those persons, or may know of any that shall do so hereafter,

I will make them feel what it is to be fearful in so urgent a cause."⁴⁰ By this menace, she probably gave the people to understand, that she would execute martial law upon such cowards: for there was no statute by which a man could be punished for changing his place of abode.

The king of France, though he had hitherto made war on the league with great bravery and reputation, though he had this campaign gained considerable advantages over them, and though he was assisted by a considerable body of English under Norris, who carried hostilities into the heart of Brittany, was become sensible

that he never could by force of arms alone render himself master of his kingdom. The nearer he seemed by his military successes to approach to a full possession of the throne, the more discontent and jealousy arose among those Romanists who adhered to him; and a party was formed in his own court to elect some catholic monarch of the royal blood, if Henry should any longer refuse to satisfy them by declaring his conversion. This excellent prince was far from being a bigot to his sect; and as he deemed these theological disputes entirely subordinate to the public good, he had secretly determined from the beginning,

at some time or other to the resolution required of him. He had found on the death of his predecessor, that the hugonots, who formed the bravest and most faithful part of his army, were such determined zealots, that if he had at that time abjured their faith, they would instantly have abandoned him to the pretensions and usurpations of the catholics. The more bigoted catholics, he knew, particularly those of the league, had entertained such an unsurmountable prejudice against his person, and diffidence of his sincerity, that even his abjuration would not reconcile them to his title; and he must either expect to be entirely excluded from the throne, or be admitted to it on such terms as would leave him little more than the mere shadow of royalty. In this delicate situation he had resolved to temporise; to retain the hugonots by continuing in the profession of their religion; to gain the moderate catholics by giving them hopes of his conversion; to attach both to his person by conduct and success; and he hoped either that the animosity arising from war against the league, would make them drop gradually the question of religion, or that he might in time, after some victories over his enemies and some conferences with divines, make finally, with more decency and dignity, that abjuration, which must have appeared at first mean as well as suspicious to both parties.

HENRY IV. EMBRACES THE CATHOLIC RELIGION.

WHEN the people are attached to any theological tenets, merely from a general persua-

sion or prepossession, they are easily induced by any motive or authority to change their faith in these mysterious subjects; as appears from the example of the English, who, during some reigns, usually embraced, without scruple, the still varying religion of their sovereigns. But the French nation, where principles had so long been displayed as the badges of faction, and where each party had fortified its belief by an animosity against the other, were not so pliable or inconstant; and Henry was at last convinced, that the catholics of his party would entirely abandon him, if he gave them not immediate satisfaction in this particular. The hugonots also, taught by experience, clearly saw that his desertion of them was become absolutely necessary for the public settlement; and so general was this persuasion among them, that, as the duke of Sully pretends, even the divines of that party purposely allowed themselves to be worsted in the disputes and conferences; that the king might more readily be convinced of the weakness of their cause, and might more cordially and sincerely, at least more decently, embrace the religion which it was so much his interest to believe. If this self-denial in so tender a point should appear incredible and supernatural in theologians, it will at least be thought very natural, that a prince so little instructed in these matters as Henry, and desirous to preserve his sincerity, should insensibly bend his opinion to the necessity of his affairs, and should believe that party to have the best arguments who could alone put him in possession of a kingdom. All circumstances, therefore, being prepared for this great event, that monarch renounced the protestant religion, and was solemnly received by the French prelates of his party, into the bosom of the church.

Elizabeth, who was herself attached to the protestants, chiefly by her interests and the circumstances of her birth, and who seems to have entertained some propensity during her whole life to the catholic superstition, at least to the ancient ceremonies, yet pretended to be extremely displeased with this abjuration of Henry; and she wrote him an angry letter, reproaching him with this interested change of his religion. Sensible, however, that the league and the king of Spain were still their common enemies, she hearkened to his apologies; continued her succours both of men and money; and formed a new treaty, in which they mutually stipulated never to make peace but by common agreement.

SCOTCH AFFAIRS.

THE intrigues of Spain were not limited to France and England: by means of the never-failing pretence of religion, joined to the influence of money, Philip excited new disorders

in Scotland, and gave fresh alarms to Elizabeth. George Ker, brother to lord Newbottle, had been taken, while he was passing secretly into Spain; and papers were found about him, by which a dangerous conspiracy of some catholic noblemen with Philip was discovered. The earls of Angus, Errol, and Huntley, the heads of three potent families, had entered into a confederacy with the Spanish monarch; and had stipulated to raise all their forces; to join them to a body of Spanish troops, which Philip promised to send into Scotland; and after re-establishing the catholic religion in that kingdom, to march with their united power in order to effect the same purpose in England.²¹ Graham of Fintry, who had also entered into this conspiracy, was taken, and arraigned, and executed. Elizabeth sent lord Borough ambassador into Scotland, and exhorted the king to exercise the same severity on the three earls, to confiscate their estates, and by annexing them to the crown, both increase his own demesnes, and set an example to all his subjects of the dangers attending treason and rebellion. The advice was certainly rational, but not easy to be executed by the small revenue and limited authority of James. He desired, therefore, some supply from her of men and money; but though she had reason to deem the prosecution of the three popish earls a common cause, she never could be prevailed on to grant him the least assistance. The tenth part of the expence, which she bestowed in supporting the French king, and the States, would have sufficed to execute this purpose, more immediately essential to her security;²² but she seems ever to have borne some degree of malignity to James, whom she hated both as her heir and as the son of Mary, her hated rival and competitor.

So far from giving James assistance to prosecute the catholic conspirators, the queen rather contributed to increase his iniquitude, by countenancing the turbulent disposition of the earl of Bothwell,²³ a nobleman descended from a natural son of James V. Bothwell more than once attempted to render himself master of the king's person; and being expelled the kingdom for these traitorous enterprises, he took shelter in England, was secretly protected by the queen, and lurked near the borders, where his power lay, with a view of still committing some new violence. He succeeded at last in an attempt on the king, and, by the mediation of the English ambassador, imposed dishonourable terms upon that prince: but James, by the authority of the convention of states, annulled this agreement as extorted by violence, again expelled Bothwell; and obliged him to take shelter in England. Elizabeth, pretending ignorance of the place of his retreat, never executed the treaties, by which she was bound to deliver up all rebels and fugitives to the king of Scotland. During these disorders,

increased by the refractory disposition of the ecclesiastics, the prosecution of the catholic earls remained in suspense; but at last the parliament passed an act of attainder against them [1594], and the king prepared himself to execute it by force of arms. The noblemen, though they obtained a victory over the earl of Argyre, who acted by the king's commission, found themselves hard pressed by James himself, and agreed on certain terms to leave the kingdom. Bothwell, being detected in a confederacy with them, forfeited the favour of Elizabeth; and was obliged to take shelter first in France, then in Italy, where he died some years after in great poverty.

The established authority of the queen secured her from all such attempts as James was exposed to from the mutinous disposition of his subjects; and her enemies found no other means of giving her domestic disturbance, than by such traitorous and perfidious machinations as ended in their own disgrace, and in the ruin of their criminal instruments. Rodrigo Lopez, a Jew, domestic physician to the queen, being imprisoned on suspicion, confessed that he had received a bribe to poison her from Fuentes and Ibarra, who had succeeded Parma, lately deceased, in the government of the Netherlands; but he maintained, that he had no other intention than to cheat Philip of his money, and never meant to fulfil his engagement. He was, however, executed for the conspiracy; and the queen complained to Philip of these dishonourable attempts of his ministers, but could obtain no satisfaction.²⁴ York and Williams, two English traitors, were afterwards executed for a conspiracy with Ibarra, equally atrocious.²⁵

Instead of avenging herself by retaliating in a like manner, Elizabeth sought a more honourable vengeance, by supporting the king of France, and assisting him in finally breaking the force of the league, which, after the conversion of that monarch, went daily to decay, and was threatened with speedy ruin and dissolution. Norris commanded the English forces in Brittany, and assisted at the taking of Morlaix, Quimpercorentin, and Brest, towns garrisoned by Spanish forces. In every action, the English, though they had so long enjoyed domestic peace, discovered a strong military disposition; and the queen, though herself a heroine, found more frequent occasion to reprove her generals for encouraging their temerity, than for countenancing their fear or caution.²⁶ sir Martin Frobisher, her brave admiral, perished with many others before Brest. Morlaix had been promised to the English for a place of retreat; but the duke d'Aumont, the French general, eluded this promise, by making it be inserted in the capitulation, that none but catholics should be admitted into that city.

1595. Next campaign, the French king, who had long carried on hostilities with Philip, was at last provoked, by the taking of Chatelet and Doullens, and the attack of Cambrai, to declare war against that monarch. Elizabeth being threatened with a new invasion in England, and with an insurrection in Ireland, recalled most of her forces, and sent Norris to command in this latter kingdom. Finding also, that the French league was almost entirely dissolved, and that the most considerable leaders had made an accommodation with their prince, she thought that he could well support himself by his own force and valour; and she began to be more sparing in his cause of the blood and treasure of her subjects.

Some disgust which she had received from the States, joined to the remonstrances of her frugal minister Burleigh, made her also inclined to diminish her charges on that side; and she even demanded, by her ambassador, sir Thomas Bodley, to be reimbursed all the money which she had expended in supporting them. The States, besides alleging the violations of the treaty, by which they were not bound to repay her till the conclusion of a peace, pleaded their present poverty and distress, the great superiority of the Spaniards, in supporting the war; much more in saving money to discharge their incumbrances. After much negotiation, a new treaty was formed; by which the States engaged to free the queen immediately from the charge of the English auxiliaries, computed at forty thousand pounds a-year; to pay her annually twenty thousand pounds for some years; to assist her with a certain number of ships; and to conclude no peace or treaty without her consent. They also bound themselves, on finishing a peace with Spain, to pay her annually the sum of a hundred thousand pounds for four years; but on this condition, that the payment should be in lieu of all demands, and that they should be supplied, though at their own charge, with a body of four thousand auxiliaries from England.²⁷

1596. The queen still retained in her hands the cautionary towns, which were a great check on the rising power of the States; and she committed the important trust of Flushing to sir Francis Vere, a brave officer, who had distinguished himself by his valour in the Low Countries. She gave him the preference to Essex, who expected so honourable a command; and though this nobleman was daily rising both in reputation with the people, and favour with herself, the queen, who was commonly reserved in the advancement of her courtiers, thought proper on this occasion to give him a refusal. Sir Thomas Baskerville was sent over to France at the head of two thousand English, with which Elizabeth, by a new treaty concluded with Henry, engaged to supply that

prince. Some stipulations for mutual assistance were formed by the treaty; and all former engagements were renewed.

1597. This body of English were maintained at the expence of the French king; yet did Henry esteem the supply of considerable advantage, on account of the great reputation acquired by the English, in so many fortunate enterprises undertaken against the common enemy. In the great battle of Tournholt, gained this campaign by prince Maurice, the English auxiliaries under sir Francis Vere and sir Robert Sidney had acquired honour; and the success of that day was universally ascribed to their discipline and valour.

NAVAL ENTERPRISES.

THOUGH Elizabeth, at a considerable expence of blood and treasure, made war against Philip in France and the Low Countries, the most severe blows which she gave him were by those naval enterprises which either she or her subjects scarcely ever intermitted during one season. In 1594, Richard Hawkins, son of sir John, the famous navigator, procured the queen's commission, and sailed with three ships to the South Sea by the Straits of Magellan: but his voyage proved unfortunate, and he himself was taken prisoner on the coast of Chili. James Lancaster was supplied the same year with three ships and a pinnace by the merchants of London; and was more fortunate in his adventure. He took thirty-nine ships of the enemy; and not content with this success, he made an attack on Fernambouc in Brazil, where he knew great treasures were at that time lodged. As he approached the shore he saw it lined with great numbers of the enemy; but nowise daunted at this appearance, he placed the stoutest of his men in boats, and ordered them to row with such violence on the landing place as to split them in pieces. By this bold action he both deprived his men of all resource but in victory, and terrified the enemy, who fled after a short resistance. He returned home with the treasure which he had so bravely acquired. In 1595, sir Walter Raleigh, who had anew forfeited the queen's friendship by an intrigue with a maid of honour, and who had been thrown into prison for this misdemeanor, no sooner recovered his liberty, than he was pushed by his active and enterprising genius to attempt some great action. The success of the first Spanish adventurers against Mexico and Peru had begotten an extreme avidity in Europe; and a prepossession universally took place, that in the inland parts of South America, called Guiana, a country as yet undiscovered, there were mines and treasures far exceeding any which Cortes or Pizarro had met with. Raleigh, whose turn of mind was

somewhat romantic and extravagant, undertook at his own charge the discovery of this wonderful country. Having taken the small town of St. Joseph in the isle of Trinidad, where he found no riches, he left his ship, and sailed up the river Oroonoko in pinnaces, but without meeting any thing to answer his expectations. On his return, he published an account of the country, full of the grossest and most palpable lies that were ever attempted to be imposed on the credulity of mankind.²⁸

The same year, sir Francis Drake and sir John Hawkins undertook a more important expedition against the Spanish settlements in America; and they carried with them six ships of the queen's, and twenty more, which either were fitted out at their own charge, or were furnished them by private adventurers. Sir Thomas Baskerville was appointed commander of the land forces, which they carried on board. Their first design was to attempt Porto Rico, where, they knew, a rich carrack was at that time stationed; but as they had not preserved the requisite secrecy, a pinnace, having strayed from the fleet, was taken by the Spaniards, and betrayed the intentions of the English. Preparations were made in that island for their reception; and the English fleet, notwithstanding the brave assault which they made on the enemy, was repulsed with loss. Hawkins soon after died; and Drake pursued his voyage to Nombre di Dios, on the isthmus of Darien; where, having landed his men, he attempted to pass forward to Panama, with a view of plundering that place, or, if he found such a scheme practicable, of keeping and fortifying it. But he met not with the same facility which had attended his first enterprises in those parts. The Spaniards, taught by experience, had every where fortified the passes, and had stationed troops in the woods; who so infested the English by continual alarms and skirmishes, that they were obliged to return, without being able to effect any thing. Drake himself, from the intemperance of the climate, the fatigues of his journey, and the vexation of his disappointment, was seized with a distemper, of which he soon after died. Sir Thomas Baskerville took the command of the fleet, which was in a weak condition; and after having fought a battle near Cuba with a Spanish fleet, of which the event was not decisive, he returned to England. The Spaniards suffered some loss from this enterprise; but the English reaped no profit.²⁹

The bad success of this enterprise in the Indies made the English rather attempt the Spanish dominions in Europe, where, they heard, Philip was making great preparations for a new invasion of England. A powerful fleet was equipped at Plymouth, consisting of a hundred and seventy vessels, seventeen of

which were capital ships of war; the rest tenders and small vessels: twenty ships were added by the Hollanders. In this fleet there were computed to be embarked six thousand three hundred and sixty soldiers, a thousand volunteers, and six thousand seven hundred and seventy-two seamen, beside the Dutch. The land forces were commanded by the earl of Essex: the navy by lord Effingham, high-admiral. Both these commanders had expended great sums of their own in the armament: for such was the spirit of Elizabeth's reign. Lord Thomas Howard, sir Walter Raleigh, sir Francis Vere, sir George Carew, and sir Coniers Clifford had commands in this expedition, and were appointed council to the general and admiral.³⁰

The fleet set sail on the first of June, 1596; and meeting with a fair wind, bent its course to Cadiz, at which place, by sealed orders delivered to all the captains, the general rendezvous was appointed. They sent before them some armed tenders, which intercepted every ship that could carry intelligence to the enemy; and they themselves were so fortunate when they came near Cadiz, as to take an Irish vessel, by which they learned, that that port was full of merchant ships of great value, and that the Spaniards lived in perfect security, without any apprehensions of an enemy. This intelligence much encouraged the English fleet, and gave them the prospect of a fortunate issue to the enterprise.

After a fruitless attempt to land at St. Sebastian's on the western side of the island of Cadiz, it was, upon deliberation, resolved by the council of war to attack the ships and galleys in the bay. This attempt was deemed rash; and the admiral himself, who was cautious in his temper, had entertained great scruples with regard to it: but Essex strenuously recommended the enterprise; and when he found the resolution at last taken, he threw his hat into the sea, and gave symptoms of the most extravagant joy. He felt, however, a great mortification, when Effingham informed him, that the queen, anxious for his safety, and dreading the effects of his youthful ardour, had secretly given orders that he should not be permitted to command the van in the attack.³¹ That duty was performed by sir Walter Raleigh and lord Thomas Howard; but Essex no sooner came within reach of the enemy, than he forgot the promise which the admiral had exacted from him, to keep in the midst of the fleet; he broke through and pressed forward into the thickest of the fire. Emulation for glory, avidity of plunder, animosity against the Spaniards, proved incentives to every one; and the enemy was soon obliged to slip anchor and retreat farther into the bay, where they ran many of their ships aground. Essex then landed his men at the fort of Puntal; and

immediately marched to the attack of Cadiz, which the impetuous valour of the English admiral in his attack on the coast of Essex, not inferior to his valour, made him stop the slaughter, and treat his prisoners with the greatest humanity, and even affability and kindness. The English made rich plunder in the city; but missed of a much richer by the resolution which the duke of Medina, the Spanish admiral, took of setting fire to the ships, in order to prevent their falling into the hands of the enemy. It was computed that the loss which the Spaniards sustained in this enterprise amounted to twenty millions of ducats.³² Besides the indignity which that proud and ambitious people suffered from the sacking of one of their chief cities, and destroying in their harbour, a fleet of such force and value.

Essex, all on fire for glory, regarded this great success only as a step to future achievements: he insisted on keeping possession of Cadiz; and he undertook, with four hundred men and three months' provisions, to defend the place till succours should arrive from England; but all the other seamen and soldiers were satisfied with the honour which they had acquired; and were impatient to return home in order to secure their plunder. Every other proposal of Essex to annoy the enemy met with a like reception; his scheme for intercepting the caracks at the Azores, for assaulting the Groine, for taking St. Andero, and St. Sebastian; and the English finding it so difficult to drag this impatient warrior from the enemy, at last left him on the Spanish coast, attended by a very few ships. He complained much to the queen of their want of spirit in this enterprise; nor was she pleased that they had returned without attempting to intercept the Indian fleet;³³ but the great success in the enterprise of Cadiz, had covered all their miscarriages: and that princess, though she admired the lofty genius of Essex, could not forbear expressing an esteem for the other officers.³⁴ The admiral was created earl of Nottingham; and his promotion gave great disgust to Essex.³⁵ In the preamble of the patent it was said, that the new dignity was conferred on him on account of his good services in taking Cadiz, and destroying the Spanish ships; a merit which Essex pretended to belong solely to himself: and he offered to maintain this plea by single combat against the earl of Nottingham, or his sons, or any of his kindred.

The achievements in the subsequent year proved not so fortunate: but the Indian fleet very narrowly escaped the English, Philip had still reason to see the great hazard and disadvantages of that war in which he was engaged, and the superiority which the English, by their naval power, and their situation, had

acquired over him. The queen having received intelligence that the Spaniards, though their fleets were so much shattered and destroyed by the expedition to Cadiz, were preparing a squadron at Ferrol and the Groine, and were marching troops thither with a view of making a descent in Ireland, was resolved to prevent their enterprise, and to destroy the shipping in these harbours. She prepared a large fleet of a hundred and twenty sail, of which seventeen were her own ships, forty-three were smaller vessels, and the rest tenders and victuallers: she embarked on board this fleet five thousand new levied soldiers, and added a thousand veteran troops, whom sir Francis Vere brought from the Netherlands. The earl of Essex, commander in chief both of the land and sea forces, was at the head of one squadron: lord Thomas Howard was appointed vice-admiral of another: sir Walter Raleigh of the third: lord Mountjoy commanded the land forces under Essex: Vere was appointed marshal: sir George Carew lieutenant of the ordnance, and sir Christopher Blount first colonel. The earls of Rutland and Southampton, the lords Grey, Cromwel, and Rich, with several other persons of distinction, embarked as volunteers. Essex declared his resolution either to destroy the new Armada which threatened England, or to perish in the attempt.

This powerful fleet set sail from Plymouth (9th July); but were no sooner out of harbour than they met with a furious storm, which shattered and dispersed them; and before they could be refitted Essex found that their provisions were so far spent, that it would not be safe to carry so numerous an army along with him. He dismissed therefore all the soldiers, except the thousand veterans under Vere; and laying aside all thoughts of attacking Ferrol or the Groine, he confined the object of his expedition to the intercepting of the Indian fleet; which had at first been considered only as the second enterprise which he was to attempt.

The Indian fleet in that age, by reason of the imperfection of navigation, had a stated course as well as season both on their going out and in their return; and there were certain islands at which, as at fixed stages, they always touched, and where they took in water and provisions. The Azores being one of these places where about this time the fleet was expected, Essex bent his course thither; and he informed Raleigh, that he, on his arrival, intended to attack Fayal, one of these islands. By some accident the squadrons were separated; and Raleigh arriving first before Fayal, thought it more prudent, after waiting some time for the general, to begin the attack alone, lest the inhabitants should by farther delay have leisure to make preparations for their defence.

He succeeded in the enterprise; but Essex, jealous of Raleigh, expressed great displeasure at his conduct, and construed it as an intention of robbing the general of the glory which attended that action: he cashiered therefore Sydney, Bret, Berry, and others, who had concurred in the attempt; and would have proceeded to inflict the same punishment on Raleigh himself, had not lord Thomas Howard interposed with his good offices, and persuaded Raleigh, though high-spirited, to make submissions to the general. Essex, who was pliable as well as hasty and passionate, was soon appeased, and both received Raleigh into favour, and restored the other officers to their commands.³⁶ This incident, however, though the quarrel was seemingly accommodated, laid the first foundation of that violent animosity which afterwards took place between these two gallant commanders.

Essex made next "a disposition proper for intercepting the Indian galleons; and sir William Monson, whose station was the most remote of the fleet, having fallen in with them, made the signals which had been agreed on. That able officer, in his Memoirs, ascribes Essex's failure, when he was so near attaining so mighty an advantage, to his want of experience in seamanship; and the account which he gives of the errors committed by that noble man, appears very reasonable as well as candid.³⁷ The Spanish fleet, finding that the enemy was upon them, made all the sail possible to the Tecegas, and got into the safe and well-fortified harbour of Angra, before the English fleet could overtake them. Essex intercepted only three ships; which, however, were so rich as to repay all the charges of the expedition.

The causes of the miscarriage in this enterprise were much envenomed in England, upon the return of the fleet; and though the courtiers took part differently, as they effected either Essex or Raleigh, the people in general, who bore an extreme regard to the gallantry, spirit, and generosity of the former, were inclined to justify every circumstance of his conduct. The queen, who loved the one as much as she esteemed the other, maintained a kind of neutrality, and endeavoured to share her favours with an impartial hand between the parties. Sir Robert Cecil, second son of lord Burleigh, was a courtier of promising hopes, much connected with Raleigh; and she made him secretary of state, preferably to sir Thomas Bodley, whom Essex recommended for that office. But not to disgust Essex, she promoted him to the dignity of earl marshal of England; an office which had been vacant since the death of the earl of Shrewsbury. Essex might perceive from this conduct, that she never intended to give him the entire ascendancy over his rivals, and might thence learn the neces-

sity of moderation and caution. But his temper was too high for submission; his behaviour too open and candid to practise the arts of a court; and his free sallies, while they rendered him but more amiable in the eyes of good judges, gave his enemies many advantages against him.

The war with Spain, though successful, having exhausted the queen's exchequer, she was obliged to assemble a parliament (24th Oct.); where Yelverton, a lawyer, was chosen speaker of the house of commons. [*See note 8, at the end of this Vol.*] Elizabeth took care, by the mouth of sir Thomas Egerton, lord keeper, to inform this assembly of the necessity of a supply. She said, That the wars formerly waged in Europe had commonly been conducted by the parties without farther view than to gain a few towns, or at most a province, from each other; but the object of the present hostilities, on the part of Spain, was no other than utterly to bereave England of her religion, her liberty, and her independence: that these blessings, however, she herself had hitherto been able to preserve, in spite of the devil, the pope, and the Spanish tyrant, and all the mischievous designs of all her enemies: that in this contest she had disbursed a sum triple to all the parliamentary supplies granted her; and, besides expending her ordinary revenues, had been obliged to sell many of the crown lands: and that she could not doubt but her subjects, in a cause where their own honour and interest were so deeply concerned, would willingly contribute to such moderate taxations as should be found necessary for the common defence.³⁸ The parliament granted her three subsidies and six fifteenths; the same supply which had been given four years before, but which had then appeared so unusual, that they had voted it should never afterwards be regarded as a precedent.

The commons, this session, ventured to engage in two controversies about forms with the house of peers; a prelude to those encroachments which, as they assumed more courage, they afterwards made upon the prerogatives of the crown. They complained, that the lords failed in civility to them, by receiving their messages sitting with their hats on; and that the keeper returned an answer in the same negligent posture: but the upper house proved to their full satisfaction, that they were not entitled by custom and the usage of parliament to any more respect.³⁹ Some amendments had been made by the lords to a bill sent up by the commons; and these amendments were written on parchment, and returned with the bill to the commons. The lower house took umbrage at the novelty: they pretended that these amendments ought to have been written on paper, not on parchment; and they complained of this innovation

to the peers. The peers replied, that they expected not such a frivolous objection from the gravity of the house; and that it was not material whether the amendments were written on parchment or on paper, nor whether the paper were white, black, or brown. The commons were offended at this reply, which seemed to contain a mockery of them; and they complained of it, though without obtaining any satisfaction.⁴⁰

An application was made, by way of petition, to the queen from the lower house, against monopolies; an abuse which had arisen to an enormous height; and they received a gracious, though a general answer, for which they returned their thankful acknowledgments.⁴¹ But not to give them too much encouragement in such applications, she told them, in the speech which she delivered at their dissolution, "That with regard to these patents, she hoped that her dutiful and loving subjects would not take away her prerogative, which is the chief flower in her garden, and the principal and head pearl in her crown and diadem; but that they would rather leave these matters to her disposal."⁴² The commons also took notice, this session, of some transactions in the court of high commission; but not till they had previously obtained permission from her majesty to that purpose.⁴³

1598. Elizabeth had reason to foresee that parliamentary supplies would now become more necessary to her than ever; and that the chief burden of the war with Spain would thenceforth lie upon England. Henry had received an overture for peace with Philip; but before he would proceed to a negotiation, he gave intelligence of it to his allies, the queen, and the States; that if possible a general pacification might be made by common agreement. These two powers sent ambassadors to France in order to remonstrate against peace; the queen, sir Robert Cecil, and Henry Herbert; the States, Justin Nassau, and John Barneveldt. Henry said to these ministers, That his early education had been amidst war and danger, and he had passed the whole course of his life either in arms or in military preparations: that after the proofs which he had given of his alacrity in the field, no one could doubt but he would willingly, for his part, have continued in a course of life to which he was now habituated, till the common enemy were reduced to such a condition as no longer to give umbrage either to him or to his allies: that no private interests of his own, not even those of his people, nothing but the most invincible necessity, could ever induce him to think of a separate peace with Philip, or make him embrace measures not entirely conformable to the wishes of all his confederates: that his kingdom, torn with the convul-

sions and civil wars of near half a century, required some interval of repose, ere it could reach a condition in which it might sustain itself, much more support its allies: that after the minds of his subjects were composed to tranquillity, and accustomed to obedience, after his finances were brought into order, and after agriculture and the arts were restored, France, instead of being a burden, as at present, to her confederates, would be able to lend them effectual succour, and amply to repay them all the assistance which she had received during her calamities: and that, if the ambition of Spain would not at present grant them such terms as they should think reasonable, he hoped that in a little time he should attain such a situation as would enable him to mediate more effectually, and with more decisive authority, in their behalf.

PEACE OF VERVINS.

THE ambassadors were sensible that these reasons were not feigned; and they therefore remonstrated with the less vehemence against the measures which they saw Henry was determined to pursue. The States knew that that monarch was interested never to permit their final ruin; and having received private assurances that he would still, notwithstanding the peace, give them assistance both of men and money, they were well pleased to remain on terms of amity with him. His greatest concern was to give satisfaction to Elizabeth for this breach of treaty. He had a cordial esteem for that princess, a sympathy of manners, and a gratitude for the extraordinary favours which he had received from her during his greatest difficulties: and he used every expedient to apologize and atone for that measure which necessity extorted from him. But as Spain refused to treat with the Dutch as a free state, and Elizabeth would not negotiate without her ally, Henry found himself obliged to conclude at Vervins a separate peace, by which he recovered possession of all places seized by Spain during the course of the civil wars, and procured to himself leisure to pursue the domestic settlement of his kingdom. His capacity for the arts of peace was not inferior to his military talents; and, in a little time, by his frugality, order, and wise government, he raised France from the desolation and misery in which she was involved, to a more flourishing condition than she had ever before enjoyed.

The queen knew that she could also, whenever she pleased, finish the war on equitable terms; and that Philip, having no claims upon her, would be glad to free himself from an enemy who had foiled him in every contest, and who still had it so much in her power to make him feel the weight of her

arms. Some of her wisest counsellors, particularly the treasurer, advised her to embrace pacific measures; and set before her the advantages of tranquillity, security, and frugality, as more considerable than any success which could attend the greatest victories. But this high-spirited princess, though at first adverse to war, seemed now to have attained such an ascendant over the enemy, that she was unwilling to stop the course of her prosperous fortune. She considered that her situation and her past victories had given her entire security against any dangerous invasion; and the war must thenceforth be conducted by sudden enterprises and naval expeditions, in which she possessed an undoubted superiority: that the weak condition of Philip in the Indies, opened to her the view of the most durable advantages; and the yearly return of his treasure by sea, afforded a continual prospect of importunate, though more temporary, successes. That, after his peace with France, if she also should consent to an accommodation, he would be able to turn his whole force against the revolted provinces of the Netherlands, which, though they had surprisingly increased their power by commerce and good government, were still unable, if not supported by their confederates, to maintain war against so potent a monarch. and that, as her defence of that commonwealth was the original ground of the quarrel, it was unsafe as well as dishonourable to abandon its cause, till she had placed it in a state of greater security.

THE EARL OF ESSEX.

THESE reasons were frequently inculcated on her by the earl of Essex, whose passion for glory, as well as his military talents, made him earnestly desire the continuance of war, from which he expected to reap so much advantage and distinction. The rivalry between this nobleman and lord Burleigh, made each of them insist the more strenuously on his own counsel; but as Essex's person was agreeable to the queen, as well as his advice conformable to her inclinations, the favourite seemed daily to acquire an ascendant over the minister. Had he been endowed with caution and self-command equal to his shining qualities, he would have so rivetted himself in the queen's confidence, that none of his enemies had ever been able to impeach his credit. But his lofty spirit could ill submit to that implicit deference which her temper required, and which she had ever been accustomed to receive from all her subjects. Being once engaged in a dispute with her about the choice of a governor for Ireland, he was so heated in the argument, that he entirely forgot the rules both of duty and civility; and turned his back upon her in a contemptuous manner. Her anger, naturally

prompt and violent, rose at this provocation; and she instantly gave him a box on the ear; adding a passionate expression suited to his impertinence. Instead of recollecting himself, and making the submissions due to her sex and station, he clapped his hand to his sword, and swore that he would not bear such usage, were it from Henry VIII. himself; and he immediately withdrew from court. Egerton the chancellor, who loved Essex, exhorted him to repair his indiscretion, by proper acknowledgments; and entreated him not to give that triumph to his enemies, that affliction to his friends which must ensue from his supporting a contest with his sovereign, and deserting the service of his country. But Essex was deeply stung with the dishonour which he had received; and seemed to think that an insult which might be pardoned in a woman, was become a mortal affront when it came from his sovereign. "If the vilest of all indignities," said he, "is done me, does religion enforce me to sue for pardon? Doth God require it? Is it impious not to do it? Why? Cannot princes err? Cannot subjects receive wrong? Is an earthly power infinite? Pardon me, my lord, I can never subscribe to these principles. Let Solomon's fool laugh when he is stricken; let those that mean to make their profit of princes, show no sense of princes' injuries: let *them* acknowledge an infinite absoluteness on earth, that do not believe an absolute infiniteness in heaven" (alluding probably to the character and conduct of sir Walter Raleigh, who lay under the reproach of impiety). "As for me," continued he, "I have received wrong, I feel it: my cause is good, I know it; and whatsoever happens, all the powers on earth can never exert more strength and constancy in oppressing, than I can show in suffering every thing that can or shall be imposed upon me. Your lordship, in the beginning of your letter, makes me a player, and yourself a looker-on: and me a player of my own game, so you may see more than I: but give me leave to tell you, that since you do but see, and I do suffer, I must of necessity feel more than you." [See note T, at the end of this Vol.]

This spirited letter was shown by Essex to his friends; and they were so imprudent as to disperse copies of it: yet, notwithstanding this additional provocation, the queen's partiality was so prevalent, that she reinstated him in his former favour; and her kindness to him appeared rather to have acquired new force from this short interval of anger and resentment. The death of Burleigh, his antagonist, which happened about the same time (4th Aug.), seemed to ensure him constant possession of the queen's confidence; and nothing indeed but his own indiscretion could thenceforth have shaken his well established credit. Lord Burleigh died in an advanced age;

and by a rare fortune was equally regretted by his sovereign and the people. He had risen gradually from small beginnings, by the mere force of merit; and though his authority was never entirely absolute or uncontrolled with the queen, he was still, during the course of near forty years, regarded as her principal minister. None of her other inclinations or affections could ever overcome her confidence in so useful a counsellor; and as he had had the generosity or good sense to pay assiduous court to her during her sister's reign, when it was dangerous to appear her friend, she thought herself bound in gratitude, when she mounted the throne, to persevere in her attachments to him. He seems not to have possessed any shining talents of address, eloquence, or imagination; and was chiefly distinguished by solidity of understanding, probity of manners, and indefatigable application in business: virtues which, if they do not always enable a man to attain high stations, do certainly qualify him for filling them. Of all the queen's ministers, he alone left a considerable fortune to his posterity; a fortune not acquired by rapine or oppression, but gained by the regular profits of his offices, and preserved by frugality.

The last act of this able minister was the concluding of a new treaty with the Dutch (8th Aug.); who, after being in some measure deserted by the king of France, were glad to preserve the queen's alliance, by submitting to any terms which she pleased to require of them. The debt which they owed her was now settled at eight hundred thousand pounds: of this sum they agreed to pay, during the war, thirty thousand pounds a year; and these payments were to continue till four hundred thou-

sand pounds of the debt should be extinguished. They engaged also, during the time that England should continue the war with Spain, to pay the garrisons of the cautionary towns. They stipulated, that if Spain should invade England, or the Isle of Wight or Jersey, or Scilly, they should assist her with a body of five thousand foot, and five hundred horse; and that in case she undertook any naval armament against Spain, they should join an equal number of ships to her's.⁴¹ By this treaty the queen was eased of an annual charge of a hundred and twenty thousand pounds.

Soon after the death of Burleigh, the queen, who regretted extremely the loss of so wise and faithful a minister, was informed of the death of her capital enemy, Philip II. who, after languishing under many infirmities, expired in an advanced age at Madrid. This haughty prince, desirous of an accommodation with his revolted subjects in the Netherlands, but disclaiming to make in his own name the

for that purpose had transferred to his daughter, married to archduke Albert, the title to the Low Country provinces; but as it was not expected that this princess could have any posterity, and as the reversion on failure of her issue was still reserved to the crown of Spain, the states considered this deed only as the change of a name, and they persisted with equal obstinacy in their resistance to the Spanish army. The other powers also of Europe made no distinction between the courts of Brussels and Madrid; and the secret opposition of France, as well as the avowed efforts of England, continued to operate against the progress of Albert, as it had done against that of Philip.

NOTES.

- 1 Camden, p. 561.
- 2 Rymer, tom. xiv. p. 116.
- 3 Birch's Negotiations, p. 5. Rymer, tom. xiv. p. 123, 140.
- 4 Camden, p. 562.
- 5 Rymer, vol. xvi. p. 131, 168, 173, 175.
- 6 Monson, p. 163.
- 7 Monson, p. 169.
- 8 Monson, p. 165. Camden, p. 569.
- 9 Strype, vol. iii.
- 10 D'Ewes, p. 160, 469. Townshend, p. 37.
- 11 D'Ewes, p. 470. Townshend, p. 34.
- 12 D'Ewes, p. 197.
- 13 D'Ewes, p. 474. Townshend, p. 60.
- 14 D'Ewes, p. 474, 478. Townshend, p. 51.
- 15 Heylin's History of the Presbyterians, p. 320.
- 16 15 Eliz. c. 1.
- 17 After enacting this statute, the clergy,

- in order to remove the odium from themselves, often took care that recusants should be tried by the civil judges at the assizes, rather than by the ecclesiastical commissioners. Strype's Ann. vol. iv. p. 204.
- 18 D'Ewes, p. 485, 487, 488. Townshend, p. 61.
- 19 D'Ewes, p. 466. Townshend, p. 47.
- 20 D'Ewes, p. 466. Townshend, p. 48.
- 21 Spotswood, p. 391. Rymer, tom. xvi. p. 196.
- 22 Spotswood, p. 393. Rymer, tom. xvi. p. 245.
- 23 Spotswood, p. 297, 298.
- 24 Camden, p. 577. Birch's Negot. p. 15. Bacon, vol. iv. p. 381.
- 25 Camden, p. 582.
- 26 Camden, p. 578.

- 27 Camden, p. 586.
- 28 Camden, p. 584.
- 29 Monson, p. 167.
- 30 Camden, p. 591.
- 31 Monson, p. 166.
- 32 Birch's Memoirs, vol. ii. p. 97.
- 33 Birch's Memoirs, vol. ii. p. 121.
- 34 Camden, p. 593.
- 35 Sidney's Papers, vol. ii. p. 77.
- 36 Monson, p. 171.
- 37 Monson, p. 171.
- 38 D'Ewes, p. 521, 527. Townshend, p. 79.
- 39 D'Ewes, p. 520, 540, 550, 555. Townshend, p. 91, 94, 95.
- 40 D'Ewes, p. 576, 577.
- 41 D'Ewes, p. 570, 573.
- 42 D'Ewes, p. 547.
- 43 D'Ewes, p. 547, 548.
- 44 Rymer, vol. xvi. p. 340.

CHAPTER XLIV.

State of Ireland.—Tyron's Rebellion.—Essex sent over to Ireland—His ill Success—Returns to England—Is disgraced—His Intrigues—His Insurrection—His trial and Execution.—French Affairs.—Mountjoy's Success in Ireland.—Defeat of the Spaniards and Irish.—A Parliament.—Tyron's Submission.—Queen's Sickness, and Death—Character.

STATE OF IRELAND. 1599.

THOUGH the dominion of the English over Ireland had been seemingly established above four centuries, it may safely be affirmed, that their authority had hitherto been little more than nominal. The Irish princes and nobles, divided among themselves, readily paid the exterior marks of obeisance to a power which they were not able to resist; but as no durable force was ever kept on foot to retain them in their duty, they relapsed still into their former state of independence. Too weak to introduce order and obedience among the rude inhabitants, the English authority was yet sufficient to check the growth of any enterprising genius among the natives: and though it could bestow no true form of civil government, it was able to prevent the rise of any such form, from the internal combination or policy of the Irish.¹

Most of the English institutions likewise by which that island was governed, were to the last degree absurd, and such as no state before had ever thought of, for preserving dominion over its conquered provinces.

The English nation, all on fire for the project of subduing France, a project whose success was the most improbable, and would to them have proved the most pernicious; neglected all other enterprises, to which their situation so strongly invited them, and which in time would have brought them an accession of riches, grandeur, and security. The small army which they maintained in Ireland they never supplied regularly with pay; and as no money could be levied on the island, which possessed none, they gave their soldiers the privilege of free quarter upon the natives. Rapine and insolence inflamed the hatred which prevailed between the conquerors and the conquered: want of security among the Irish introducing despair, nourished still more the sloth natural to that uncultivated people.

But the English carried farther their ill-judged tyranny. Instead of inviting the Irish to adopt the more civilized customs of their conquerors, they even refused, though earnestly solicited, to communicate to them the privilege of their laws, and every where marked them out as aliens and as enemies.* Thrown out of

the protection of justice, the natives could find no security but in force; and flying the neighbourhood of cities, which they could not approach with safety, they sheltered themselves in their marshes and forests from the insolence of their inhuman masters. Being treated like wild beasts, they became such; and joining the ardour of revenge to their yet untamed barbarity, they grew every day more intracetable and more dangerous.²

As the English princes deemed the conquest of the dispersed Irish to be more the object of time and patience than the source of military glory, they willingly delegated that office to private adventurers, who, enlisting soldiers at their own charge, reduced provinces of that island, which they converted to their own profit. Separate jurisdictions and principalities were established by these lordly conquerors: the power of peace and war was assumed; military law was exercised over the Irish, whom they subdued; and by degrees over the English, by whose assistance they conquered and, after their authority had once taken root, deeming the English institutions less favourable to barbarous dominion, they degenerated into mere Irish, and abandoned the garb, language, manners, and laws of their mother country.³

By all this imprudent conduct of England, the natives of its dependent state remained still in that abject condition, into which the northern and western parts of Europe were sunk, before they received civility and slavery from the refined policy and irresistible bravery of Rome. Even at the end of the sixteenth century, when every christian nation was cultivating with ardour every civil art of life, that island, lying in a temperate climate, enjoying a fertile soil, accessible in its situation, possessed of innumerable harbours, was still, notwithstanding these advantages, inhabited by a people whose customs and manners approached nearer those of savages than of barbarians.⁴

As the rudeness and ignorance of the Irish were extreme, they were sunk below the reach of that curiosity and love of novelty, by which every other people in Europe had been seized at the beginning of that century, and which had engaged them in innovations and religious

disputes, with which they were still so violently agitated. The ancient superstition, the practices and observances of their fathers, mingled and polluted with many wild opinions, still maintained an unshaken empire over them; and the example of the English alone was sufficient to render the reformation odious to the prejudiced and discontented Irish. The old opposition of manners, laws, and interest, was now inflamed by religious antipathy; and the subduing and civilizing of that country seemed to become every day more difficult and more impracticable.

The animosity against the English was carried so far by the Irish, that, in an insurrection raised by two sons of the earl of Clanricarde, they put to the sword all the inhabitants of the town of Athenry, though Irish, because they began to conform themselves to English customs, and had embraced a more civilized form of life than had been practised by their ancestors.³

The usual revenue of Ireland amounted only to six thousand pounds a year;⁴ the queen, though with much repining,⁵ commonly added twenty thousand more, which she remitted from England: and with this small revenue a body of a thousand men was supported, which on extraordinary emergencies was augmented to two thousand.⁶ No wonder that a force so disproportioned to the object, instead of subduing a mutinous kingdom, served rather to provoke the natives, and to excite those frequent insurrections, which still farther inflamed the animosity between the two nations, and increased the disorders to which the Irish were naturally subject.

In 1560, Shan O'Neale, or the great O'Neale, as the Irish called him, because head of that potent clan, raised a rebellion in Ulster; but after some skirmishes he was received into favour upon his submission, and his promise of a more dutiful behaviour for the future.⁷ This impunity tempted him to undertake a new insurrection in 1567; but being pushed by sir Henry Sidney, lord deputy, he retreated into Clondeboy, and rather than submit to the English, he put himself into the hands of some Scottish islanders, who commonly infested those parts by their incursions. The Scots, who retained a quarrel against him on account of former injuries, violated the laws of hospitality, and murdered him at a festival to which they had invited him. He was a man equally noted for his pride, his violence, his debaucheries, and his hatred to the English nation. He is said to have put some of his followers to death because they endeavoured to introduce the use of bread after the English fashion.⁸ Though so violent an enemy to luxury, he was extremely addicted to riot; and was accustomed, after his intemperance had thrown him into a fever, to plunge his body into mire, that he might allay the

flame which he had raised by his former excesses.¹¹ Such was the life led by this haughty barbarian, who scorned the title of the earl of Tyrone, which Elizabeth intended to have resorted to him, and who assumed the rank and appellation of king of Ulster. He used also to say, that though the queen was his sovereign lady, he never made peace with her but at her seeking.¹²

Sir Henry Sidney was one of the wisest and most active governors that Ireland had enjoyed for several reigns;¹³ and he possessed his authority eleven years, during which he struggled with many difficulties, and made some progress in repressing those disorders which had become inveterate among the people. The earl of Desmond, in 1569, gave him disturbance, from the hereditary animosity which prevailed between that nobleman and the earl of Ormond, descended from the only family established in Ireland, that had steadily maintained its loyalty to the English crown.¹⁴ The earl of Thomond, in 1570, attempted a rebellion in Connaught, but was obliged to fly into France before his designs were ripe for execution. Stukely, another fugitive, found such credit with the pope, Gregory the XIIIth, that he flattered that pontiff with the prospect of making his nephew, Buon Compagno, king of Ireland; and, as if this project had already taken effect, he accepted the title of marquis of Leinster from the new sovereign.¹⁵ He passed next into Spain; and after having received much encouragement and great rewards from Philip, who intended to employ him as an instrument in disturbing Elizabeth, he was found to possess too little interest for executing those high promises which he had made to that monarch. He retired into Portugal; and following the fortunes of don Sebastian, he perished with that gallant prince in his bold but unfortunate expedition against the Moors.

Lord Gray, after some interval, succeeded to the government of Ireland; and in 1579 suppressed a new rebellion of the earl of Desmond, though supported by a body of Spaniards and Italians. The rebellion of the Bourkes followed a few years after; occasioned by the strict and equitable administration of sir Richard Bingham, governor of Connaught, who endeavoured to repress the tyranny of the chieftains over their vassals.¹⁶ The queen finding Ireland so burthensome to her, tried several expedients for reducing it to a state of greater order and submission. She encouraged the earl of Essex, father to that nobleman who was afterwards her favourite, to attempt the subduing and planting of Clondeboy, Ferny, and other territories, part of some late forfeitures: but that enterprise proved unfortunate; and Essex died of a distemper occasioned, as is supposed, by the vexation which he had conceived from his disappointments. An

university was founded in Dublin with a view of introducing arts and learning into that kingdom, and civilizing the uncultivated manners of the inhabitants.¹⁷ But the most unhappy expedient employed in the government of Ireland was that made use of in 1585 by sir John Perrot, at that time lord deputy: he put arms into the hands of the Irish inhabitants of Ulster, in order to enable them, without the assistance of the government, to repress the incursions of the Scottish islanders, by which these parts were much infested.¹⁸ At the same time, the invitations of Philip, joined to their zeal for the catholic religion, engaged many of the gentry to serve in the Low Country wars; and thus Ireland being provided with officers and soldiers, with discipline and arms, became formidable to the English, and was thenceforth able to maintain a more regular war against her ancient masters.

TYRONE'S REBELLION.

HUGH O'NEAL, nephew to Shan O'Neale, had been raised by the queen to the dignity of earl of Tyrone; but having murdered his cousin, son of that rebel, and being acknowledged head of his clan, he prefigured the pride of barbarous licence and dominion to the pleasures of opulence and tranquillity, and he fomented all those disorders by which he hoped to weaken or overturn the English government. He was noted for the vices of perfidy and cruelty, so common among uncultivated nations; and was also eminent for courage, a virtue which their disorderly course of life requires, and which, notwithstanding, being less supported by the principle of honour, is commonly more precarious among them, than among a civilized people. Tyrone, actuated by this spirit, secretly fomented the discontents of the Maguires, O'Donnells, O'Rourks, Macmahons, and other rebels; yet, trusting to the influence of his deceitful oaths and professions, he put himself into the hands of sir William Russell, who, in the year 1594, was sent over deputy to Ireland. Contrary to the advice and protestation of sir Henry Bagnal, marshal of the army, he was dismissed; and returning to his own country, he embraced the resolution of raising an open rebellion, and of relying no longer on the lenity or inexperience of the English government. He entered into a correspondence with Spain: he procured thence a supply of arms and ammunition: and having united all the Irish chieftains in a dependence upon himself, he began to be regarded as a formidable enemy.

The native Irish were so poor that their country afforded few other commodities than cattle and oatmeal, which were easily concealed or driven away on the approach of the enemy; and as Elizabeth was averse to the expence

requisite for supporting her armies, the English found much difficulty in pushing their advantages, and in pursuing the rebels into the bogs, woods, and other fastnesses, to which they retreated. These motives rendered sir John Norris, who commanded the English army, the more willing to hearken to any proposals of truce or accommodation made him by Tyrone; and after the war was spun out by these artifices for some years, that gallant Englishman, finding that he had been deceived by treacherous promises, and that he had performed nothing worthy of his ancient reputation, was seized with a languishing distemper, and died of vexation and discontent. Sir Henry Bagnal, who succeeded him in the command, was still more unfortunate. As he advanced to relieve the fort of Black-water, besieged by the rebels, he was surrounded in disadvantageous ground; his soldiers, discouraged by part of their powder's accidentally taking fire, were put to flight; and though the pursuit was stopped by Montacute, who commanded the English horse, fifteen hundred men, together with the general himself, were left dead upon the spot. This victory, so unusual to the Irish, roused their courage, supplied them with arms and ammunition, and raised the reputation of Tyrone, who assumed the character of the deliverer of his country and patron of Irish liberty.¹⁹

ESSEX SENT OVER TO IRELAND.

THE English council were now sensible, that the rebellion of Ireland was come to a dangerous head, and that the former temporising arts of granting truces and pacifications to the rebels, and of allowing them to purchase pardons by resigning part of the plunder acquired during their insurrection, served only to encourage the spirit of mutiny and disorder among them. It was therefore resolved to push the war by more vigorous measures; and the queen cast her eye on Charles Blount, lord Mountjoy, as a man who, though hitherto less accustomed to arms than to books and literature, was endowed, she thought, with talents equal to the undertaking. But the young earl of Essex, ambitious of fame, and desirous of obtaining this government for himself, opposed the choice of Mountjoy; and represented the necessity of appointing for that important employment some person more experienced in war than this nobleman, more practised in business, and of higher quality and reputation. By this description, he was understood to mean himself;²⁰ and no sooner was his desire known, than his enemies, even more zealously than his friends, conspired to gratify his wishes. Many of his friends thought that he never ought to consent, except for a short time, to accept

of any employment which must remove him from court, and prevent him from cultivating that personal inclination which the queen so visibly bore him.²¹ His enemies hoped, that if by his absence she had once leisure to forget the charms of his person and conversation, his impatient and lofty demeanour would soon disgust a princess who usually exacted such profound submission and implicit obedience from all her servants. But Essex was incapable of entering into such cautious views; and even Elizabeth, who was extremely desirous of subduing the Irish rebels, and who was much prepossessed in favour of Essex's genius, readily agreed to appoint him governor of Ireland, by the title of lord lieutenant. The more to encourage him in his undertaking, she granted him by his patent more extensive authority than had ever before been conferred on any lieutenant; the power of carrying on or finishing the war as he pleased, of pardoning the rebels, and of filling all the most considerable employments of the kingdom.²² And to ensure him of success, she levied a numerous army of sixteen thousand foot, and thirteen hundred horse, which she afterwards augmented to twenty thousand foot and two thousand horse: a force which, it was apprehended, would be able in one campaign to overwhelm the rebels, and make an entire conquest of Ireland. Nor did Essex's enemies, the earl of Nottingham, sir Robert Cecil, sir Walter Raleigh, and lord Cobham, throw any obstacles in the way of these preparations; but hoped that the higher the queen's expectations of success were raised, the more difficult it would be for the event to correspond to them. In a like view, they rather seconded than opposed those exalted encomiums, which Essex's numerous and sanguine friends dispersed, of his high genius, of his elegant endowments, his heroic courage, his unbounded generosity, and his noble birth; nor were they displeased to observe that passionate fondness which the people every where expressed for this nobleman. These artful politicians had studied his character; and finding that his open and undaunted spirit, if taught temper and reserve from opposition, must become invincible, they resolved rather to give full breath to those sails which were already too much expanded, and to push him upon dangers of which he seemed to make such small account.²³ And the better to make advantage of his indiscretions, spies were set upon all his actions and even expressions; and his vehement spirit, which, while he was in the midst of the court and envied by his rivals, was unacquainted with disguise, could not fail, after he thought himself surrounded by none but friends, to give a pretence for malignant suspicions and constructions.

Essex left London in the month of March,

attended with the acclamations of the populace; and what did him more honour, accompanied by a numerous train of nobility and gentry, who, from affection to his person, had attached themselves to his fortunes, and sought fame and military experience under so renowned a commander. The first act of authority which he exercised after his arrival in Ireland, was an indiscretion, but of the generous kind; and in both these respects suitable to his character. He appointed his intimate friend, the earl of Southampton, general of the horse; a nobleman who had incurred the queen's displeasure, by secretly marrying without her consent, and whom she had therefore enjoined Essex not to employ in any command under him. She no sooner heard of this instance of disobedience, than she reprimanded him, and ordered him to recall his commission to Southampton. But Essex, who had imagined that some reasons which he opposed to her first injunctions, had satisfied her, had the imprudence to remonstrate against these second orders; and it was not till she reiterated her commands, that he could be prevailed on to displace his friend.

• HIS ILL SUCCESS.

Essex, on his landing at Dublin, deliberated with the Irish council concerning the proper methods of carrying on the war against the rebels; and here he was guilty of a capital error, which was the ruin of his enterprise. He had always while in England, blamed the conduct of former commanders, who artfully protracted the war, who harassed their troops in small enterprises, and who, by agreeing to truces and temporary pacifications with the rebels, had given them leisure to recruit their broken forces.²⁵ In conformity to these views, he had ever insisted upon leading his forces immediately into Ulster against Tyrone, the chief enemy; and his instructions had been drawn agreeably to these his declared resolutions. But the Irish counsellors persuaded him that the season was too early for the enterprise, and that as the morasses in which the northern Irish usually sheltered themselves, would not as yet be passable to the English forces, it would be better to employ the present time in an expedition into Munster. Their secret reason for this advice was, that many of them possessed estates in that province, and were desirous to have the enemy dislodged from their neighbourhood:²⁶ but the same selfish spirit which had induced them to give this counsel, made them soon after disown it, when they found the bad consequences with which it was attended.²⁷

Essex obliged all the rebels of Munster either to submit or to fly into the neighbouring

provinces: but as the Irish, from the greatness of the queen's preparations, had concluded that she intended to reduce them to total subjection, or even utterly to exterminate them, they considered their defence as a colossus cause; and the English forces were no sooner withdrawn, than the inhabitants of Munster relapsed into rebellion, and renewed their confederacy with their other countrymen. The army, meanwhile, by the fatigue of long and tedious marches, and by the influence of the climate, was become sickly; and on its return to Dublin, about the middle of July, was surprisingly diminished in number. The courage of the soldiers was even much abated: for though they had prevailed in some lesser enterprises against lord Cahir and others; yet had they sometimes met with more stout resistance than they expected from the Irish, whom they were wont to despise; and as they were raw troops and unexperienced, a considerable body of them had been put to flight at the Glins, by an inferior number of the enemy. Essex was so enraged at this misbehaviour, that he cashiered all the officers, and decimated the private men.²⁸ But this act of severity, though necessary, had intimidated the soldiers, and increased their aversion to the service.

The queen was extremely disgusted when she heard that so considerable a part of the season was consumed in these frivolous enterprises; and was still more surprised that Essex persevered in the same practice which he had so much condemned in others, and which he knew to be so much contrary to her purpose and intention. That nobleman, in order to give his troops leisure to recruit from their sickness and fatigue, left the main army in quarters, and marched with a small body of fifteen hundred men into the county of Ophelie against the O'Connors and O'Mores, whom he forced to a submission: but, on his return to Dublin, he found the army so much diminished, that he wrote to the English council an account of its condition, and informed them, that if he did not immediately receive a reinforcement of two thousand men, it would be impossible for him this season to attempt any thing against Tyrone. That there might be no pretence for farther inactivity, the queen immediately sent over the number demanded;²⁹ and Essex began at last to assemble his forces for the expedition into Ulster. The army was so averse to this enterprise, and so terrified with the reputation of Tyrone, that many of them counterfeited sickness, many of them deserted;³⁰ and Essex found, that after leaving the necessary garrisons, he could scarcely lead four thousand men against the rebels. He marched, however, with this small army; but was soon sensible, that in so advanced a season it would be impossible for him to effect any

thing against an enemy who, though superior in number, was determined to avoid every decisive action. He hearkened, therefore, to a message sent him by Tyrone, who desired a conference; and a place near the two camps was appointed for that purpose. The generals met without any of their attendants, and a river ran between them, into which Tyrone entered to the depth of his saddle; but Essex stood on the opposite bank. After half an hour's conference, where Tyrone belayed with great submission to the lord lieutenant, a cessation of arms was concluded to the first of May, renewable from six weeks to six weeks; but which might be broken off by either party upon a fortnight's warning.³¹ Essex also received from Tyrone proposals for a peace, in which that rebel had inserted many unreasonable and exorbitant conditions: and there appeared afterwards some reason to suspect that he had here commenced a very unjustifiable correspondence with the enemy.³²

So unexpected an issue of an enterprise, the greatest and most expensive that Elizabeth had ever undertaken, provoked her extremely against Essex; and this disgust was much augmented by other circumstances of that nobleman's conduct. He wrote many letters to the queen and council, full of peevish and impatient expressions: complaining of his enemies, lamenting that their calumnies should be believed against him, and discovering symptoms of a mind equally haughty and discontented. She took care to inform him of her dissatisfaction; but commanded him to remain in Ireland till farther orders.

ESSEX RETURNS TO ENGLAND.

Essex heard at once of Elizabeth's anger, and of the promotion of his enemy, sir Robert Cecil, to the office of master of the wards, an office to which he himself aspired: and dreading that, if he remained any longer absent, the queen would be totally alienated from him, he hastily embraced a resolution which he knew, had once succeeded with the earl of Leicester, the former favourite of Elizabeth. Leicester being informed, while in the Low Countries, that his mistress was extremely displeased with his conduct, disobeyed her orders by coming over to England; and having pacified her by his presence, by his apologies, and by his flattery and insinuation, disappointed all the expectations of his enemies.³³ Essex, therefore, weighing more the similarity of circumstances than the difference of character between himself and Leicester, immediately set out for England; and making speedy journeys, he arrived at court before any one was in the least apprized of his intentions.³⁴ Though besmeared with dirt and sweat, he hastened up stairs to the presence chamber,

thence to the privy chamber; nor stopped till he was in the queen's bed-chamber, who was newly risen, and was sitting with her hair about her face. He threw himself on his knees, kissed her hand, and had some private conference with her; where he was so graciously received that, on his departure, he was heard to express great satisfaction, and to thank God that though he had suffered much trouble and many storms abroad, he found a sweet calm at home.³⁵

ESSEX IS DISGRACED.

BUT this placability of Elizabeth was merely the result of her surprise, and of the momentary satisfaction which she felt on the sudden and unexpected appearance of her favourite: after she had leisure for recollection, all his faults recurred to her; and she thought it necessary, by some severe discipline, to subdue that haughty imperious spirit, who, presuming on her partiality, had pretended to domineer in her councils, to engross all her favour, and to act in the most important affairs, without regard to her orders and instructions. When Essex waited on her in the afternoon, he found her extremely altered in her carriage towards him: she ordered him to be confined to his chamber; to be twice examined by the council; and though his answers were calm and submissive, she committed him to the custody of lord keeper Egerton, and held him sequestered from all company, even from that of his countess, nor was so much as the intercourse of letters permitted between them. Essex dropped many expressions of humiliation and sorrow, none of resentment: he professed an entire submission to the queen's will: declared his intention of retiring into the country, and of leading thenceforth a private life, remote from courts and business: but though he affected to be so entirely cured of his aspiring ambition, the vexation of this disappointment, and of the triumph gained by his enemies, preyed upon his haughty spirit, and he fell into a distemper which seemed to put his life in danger.

The queen had always declared to all the world, and even to the earl himself, that the purpose of her severity was to correct, not to ruin him;³⁶ and when she heard of his sickness, she was not a little alarmed with his situation. She ordered eight physicians of the best reputation and experience to consult of his case; and being informed that the issue was much to be apprehended, she sent Dr. James to him with some broth, and desired that physician to deliver him a message, which she probably deemed of still greater virtue, that if she thought such a step consistent with her honour, she would herself pay him a visit. The bystanders, who carefully observed her

countenance, remarked that in pronouncing these words, her eyes were suffused with tears.³⁷

When these symptoms of the queen's returning affection towards Essex were known, they gave a sensible alarm to the faction which had declared their opposition to him. Sir Walter Raleigh, in particular, the most violent as well as the most ambitious of his enemies, was so affected with the appearance of this sudden revolution, that he was seized with sickness in his turn; and the queen was obliged to apply the same salve to his wound, and to send him a favourable message, expressing her desire of his recovery.³⁸

• 1600. The medicine which the queen administered to these aspiring rivals was successful with both; and Essex being now allowed the company of his countess, and having entertained more promising hopes of his future fortunes, was so much restored in his health, as to be thought past danger. A belief was instilled into Elizabeth, that his distemper had been entirely counterfeited, in order to move her compassion;³⁹ and she relapsed into her former rigour against him. He wrote her a letter, and sent her a rich present on New-year's day, as was usual with the courtiers at that time: she read the letter, but rejected the present.⁴⁰ After some interval, however, of severity, she allowed him to retire to his own house; and though he remained still under custody, and was sequestered from all company, he was so grateful for this mark of lenity, that he sent her a letter of thanks on the occasion. "This farther degree of goodness," said he, "doth sound in my ears as if your majesty spake these words, *Die not, Essex; for though I punish thine offence, and humble thee for thy good, yet will I one day be served again by thee.* My prostrate soul makes this answer: *I hope for that blessed day.* And in expectation of it, all my afflictions of body and mind are humbly, patiently, and cheerfully borne by me."⁴¹ The countess of Essex, daughter of sir Francis Walsingham, possessed, as well as her husband, a refined taste in literature; and the chief consolation which Essex enjoyed during this period of anxiety and expectation, consisted in her company, and in reading with her those instructive and entertaining authors, which, even during the time of his greatest prosperity, he had never entirely neglected.

There were several incidents which kept alive the queen's anger against Essex. Every account which she received from Ireland, convinced her more and more of his misconduct in that government, and of the insignificant purposes to which he had employed so much force and treasure. Tyrone, so far from being quelled, had thought proper, in less than three months, to break the truce; and joining with

O'Donnel, and other rebels, had over-run almost the whole kingdom. He boasted that he was certain of receiving a supply of men, money, and arms from Spain: he pretended to be champion of the catholic religion: and he openly exulted in the present of a phoenix plume, which the pope, Clement VIII. in order to encourage him in the prosecution of so good a cause, had consecrated, and had conferred upon him.¹² The queen, that she might check his progress, returned to her former intention of appointing Mountjoy lord deputy; and though that nobleman, who was an intimate friend of Essex, and desired his return to the government of Ireland, did at first very earnestly excuse himself on account of his bad state of health, she obliged him to accept of the employment. Mountjoy found the island almost in a desperate condition; but being a man of capacity and vigour, he was so little discouraged, that he immediately advanced against Tyrone in Ulster. He penetrated into the heart of that county, the chief seat of the rebels: he fortified Derry and Mount-Norris, in order to bridle the Irish: he chased them from the field, and obliged them to take shelter in the woods and morasses. he employed, with equal success, sir George Carew in Munster: and by these promising enterprises, he gave new life to the queen's authority in that island.

As the comparison of Mountjoy's administration with that of Essex contributed to alienate Elizabeth from her favourite, she received additional disgust from the partiality of the people, who, prepossessed with an extravagant idea of Essex's merit, complained of the injustice done him by his removal from court, and by his confinement. Libels were secretly dispersed against Cecil and Raleigh, and all his enemies: and his popularity, which was always great, seemed rather to be increased than diminished by his misfortunes. Elizabeth, in order to justify to the public her conduct with regard to him, had often expressed her intentions of having him tried in the Star-chamber for his offences: but her tenderness for him prevailed at last over her severity; and she was contented to have him only examined by the privy-council. The attorney-general, Coke, opened the cause against him, and treated him with the cruelty and insolence which that great lawyer usually exercised against the unfortunate. He displayed in the strongest colours, all the faults committed by Essex in his administration of Ireland: his making Southampton general of the horse, contrary to the queen's injunctions; his deserting the enterprise against Tyrone, and marching to Leinster and Munster; his conferring knighthood on too many persons; his secret conference with Tyrone; and his sudden return from Ireland, in contempt of her ma-

jesty's commands. He also exaggerated the indignity of the conditions which Tyrone had been allowed to propose; odious and abominable conditions, said he; a public toleration of an idolatrous religion, pardon for himself and every traitor in Ireland, and full restitution of lands and possessions to all of them.¹³ The solicitor general, Fleming, insisted upon the wretched situation in which the earl had left that kingdom; and Francis, son of sir Nicholas Bacon, who had been lord-keeper in the beginning of the present reign, closed the charge with displaying the undutiful expressions contained in some letters written by the earl.

Essex, when he came to plead in his own defence, renounced, with great submission and humility, all pretensions to an apology;¹⁴ and declared his resolution never, on this or any other occasion, to have any contest with his sovereign. He said, that, having severed himself from the world, and allured all sentiments of ambition, he had no scruple to confess every failing or error, into which his youth, folly, or manifold infirmities might have betrayed him; that his inward sorrow for his offences against her majesty was so profound, that it exceeded all his outward crosses and afflictions, nor had he any scruple of submitting to a public confession of whatever she had been pleased to impute to him; that in his acknowledgments he retained only one reserve, which he never would relinquish but with his life, the assertion of a loyal and unpolluted heart, of an unfeigned affection, of an earnest desire ever to perform to her majesty the best service which his poor abilities would permit; and that if this sentiment were allowed by the council, he willingly acquiesced in any condemnation or sentence which they could pronounce against him. This submission was uttered with so much eloquence, and in so pathetic a manner, that it drew tears from many of the audience.¹⁵ All the privy-counsellors, in giving their judgment, made no scruple of doing the earl justice with regard to the loyalty of his intentions. Even Cecil, whom he believed his capital enemy, treated him with great regard and humanity. And the sentence pronounced by the lord-keeper (to which the council assented) was in these words: "If this cause," said he, "had been heard in the Star-Chamber, my sentence must have been for as great a fine as ever was set upon any man's head in that court, together with perpetual confinement in that prison which belongeth to a man of his quality, the Tower. But since we are now in another place, and in a course of favour, my censure is, that the earl of Essex is not to execute the office of a counsellor, nor that of earl marshal of England, nor of master of the ordnance; and to return to his own house,

here to continue a prisoner till it shall please her majesty to release this and all the rest of his sentence.⁴⁶ The earl of Cumberland made slight opposition to this sentence; and said, that if he thought it would stand, he would have required a little more time to deliberate; but he deemed it somewhat severe; and that any commander in chief might easily incur a like penalty. But however, added he, in confidence of her majesty's mercy, I agree with her rest. The earl of Worcester delivered his opinion in a couple of Latin verses; importing that, where the gods are offended, even misfortunes ought to be imputed as crimes, and that accident is no excuse for transgressions against the Divinity.

Bacon, so much distinguished afterwards by his high offices, and still more by his profound genius for the sciences, was nearly allied to the Cecil family, being nephew to lord Burleigh, and cousin-german to the secretary: not notwithstanding his extraordinary talents, he had met with so little protection from his powerful relations, that he had not yet obtained any preferment in the law, which was his profession. But Essex, who could distinguish merit, and who passionately loved it, had entered into an intimate friendship with Bacon, had zealously attempted, though without success, to procure him the office of solicitor-general; and in order to comfort his mind under the disappointment, had conferred on him a present of land to the value of eighteen hundred pounds.⁴⁷ The public could ill excuse Bacon's appearance before the council, against so magnificent a benefactor; though he acted in obedience to the queen's commands: but she was so well pleased with his behaviour, that she imposed on him a new task, of drawing a narrative of that day's proceedings, in order to satisfy the public of the justice and lenity of her conduct. Bacon, who wanted firmness of character more than humanity, gave to the whole transaction the most favourable turn for Essex; and, in particular, painted out, in elaborate expression, the dutiful submission which that nobleman discovered in the defence that he made for his conduct. When he read the paper to her, she smiled at that passage, and observed to Bacon, that old love, she saw, could not easily be forgotten. He replied, that he hoped she meant that of herself.⁴⁸

All the world indeed expected that Essex would soon be reinstated in his former credit;⁴⁹ perhaps, as is usual, in reconcilements founded on inclination, would acquire an additional ascendancy over the queen, and after all his disgraces, would again appear more a favourite than ever. They were confirmed in this hope when they saw that, though he was still prohibited from appearing at court,⁵⁰ he was continued in his office of master of horse,

and was restored to his liberty, and that all his friends had access to him. Essex himself seemed determined to persevere in that conduct, which had hitherto been so successful, and which the queen, by all this discipline, had endeavoured to render habitual to him: he wrote to her, that he kissed her majesty's hands, and the rod with which she had corrected him; but that he could never recover his wonted cheerfulness, till she deigned to admit him to that presence, which had ever been the chief source of his happiness and enjoyment: and that he had now resolved to make amends for his past errors, to retire into a country solitude, and say with Nebuchadnezzar, "Let my dwelling be with the beasts of the field; let me eat grass as an ox, and be wet with the dew of heaven; till it shall please the queen to restore me to my understanding." The queen was much pleased with these sentiments, and replied, that she heartily wished his actions might correspond with his expressions; that he had tried her patience a long time, and it was but fitting she should now make some experiment of his submission; that her father would never have pardoned so much obstinacy; but that if the furnace of affliction produced such good effects, she should ever after have the better opinion of her chemistry.⁵¹

The earl of Essex possessed a monopoly of sweet wines; and as his patent was near expiring, he patiently expected that the queen would renew it, and he considered this event as the critical circumstance of his life, which would determine whether he could ever hope to be reinstated in credit and authority.⁵² But Elizabeth, though gracious in her deportment, was of a temper somewhat haughty and severe; and being continually surrounded with Essex's enemies, means were found to persuade her that his lofty spirit was not yet sufficiently subdued, and that he must undergo this farther trial, before he could safely be introduced into favour. She therefore denied his request; and even added, in a contemptuous style, that an ungovernable beast must be stinted in his provender.⁵³

HIS INTRIGUES.

This rigour, pushed one step too far, proved the final ruin of this young nobleman, and was the source of infinite sorrow and vexation to the queen herself. Essex, who had with great difficulty so long subdued his proud spirit, and whose patience was now exhausted, imagining that the queen was entirely inexorable, burst at once all restraints of prudence, and determined to seek relief, by proceeding to the utmost extremities against his enemies. Even during his greatest favour he had ever been accustomed to carry matters with a high hand towards his sovereign; and as this prac-

tice gratified his own temper, and was sometimes successful, he had imprudently imagined that it was the only proper method of managing her.⁵⁴ But being now reduced to despair, he gave entire reins to his violent disposition, and threw off all appearance of duty and respect. Intoxicated with the public favour, which he already possessed, he practised anew every art of popularity; and endeavoured to increase the general good-will by a hospitable manner of life, little suited to his situation and circumstances. His former employments had given him great connexions with men of the military profession; and he now entertained, by additional caresses and civilities, a friendship with all desperate adventurers, whose attachment he hoped might, in his present views, prove serviceable to him. He secretly courted the confidence of the catholics; but his chief trust lay in the puritans, whom he openly caressed, and whose manners he seemed to have entirely adopted. He engaged the most celebrated preachers of that sect to resort to Essex-house; he had daily prayers and sermons in his family; and he invited all the zealots in London to attend those pious exercises. Such was the disposition now beginning to prevail among the English, that, instead of feasting and public spectacles, the methods anciently practised to gain the populace, nothing so effectually ingratiated an ambitious leader with the public, as these fanatical entertainments. And as the puritanical preachers frequently inculcated in their sermons the doctrine of resistance to the civil magistrate, they prepared the minds of their hearers for those seditious projects which Essex was secretly meditating.⁵⁵

But the greatest imprudence of this nobleman proceeded from the openness of his temper, by which he was ill qualified to succeed in such difficult and dangerous enterprises. He indulged himself in great liberties of speech, and was even heard to say of the queen, that she was now grown an old woman, and was become as crooked in her mind as in her body.⁵⁶ Some court ladies, whose favours Essex had formerly neglected, carried her these stories, and incensed her to a high degree against him. Elizabeth was ever remarkably jealous on this head, and though she was now approaching to her seventieth year, she allowed her courtiers⁵⁷ and even foreign ambassadors,⁵⁸ to compliment her upon her beauty; nor had all her good sense been able to cure her of this preposterous vanity. [See note U, at the end of this Vol.]

There was also an expedient employed by Essex, which, if possible, was more provoking to the queen, than those sarcasms on her age and deformity; and that was, his secret applications to the king of Scots, her heir and successor. That prince had this year very

narrowly escaped a dangerous, though ill-formed, conspiracy of the earl of Gowry; and even his deliverance was attended with this disagreeable circumstance, that the obstinate ecclesiastics persisted, in spite of the most incontestible evidence, to maintain to his face, that there had been no such conspiracy. James, harassed with his turbulent and factious subjects, cast a wishful eye to the succession of England; and, in proportion as the queen advanced in years, his desire increased of mounting that throne, on which, besides acquiring a great addition of power and splendour, he hoped to govern a people so much more tractable and submissive. He negotiated with all the courts of Europe, in order to ensure himself friends and partisans: he even neglected not the court of Rome and that of Spain; and though he engaged himself in no positive promise, he flattered the catholics with hopes that, in the event of his succession, they might expect some more liberty than was at present indulged them. Elizabeth was the only sovereign in Europe to whom he never dared to mention his right of succession: he knew that, though her advanced age might now invite her to think of fixing an heir to the crown, she never could bear the prospect of her own death without horror, and was determined still to retain him, and all other competitors, in an entire dependence upon her.

Essex was descended by females from the royal family; and some of his sanguine partisans had been so imprudent as to mention his name among those of other pretenders to the crown; but the earl took care, by means of Henry Lee, whom he secretly sent into Scotland, to assure James, that so far from entertaining such ambitious views, he was determined to use every expedient for extorting an immediate declaration in favour of that monarch's right of succession. James willingly hearkened to this proposal; but did not approve of the violent methods which Essex intended to employ. Essex had communicated his scheme to Mountjoy, deputy of Ireland; and as no man ever commanded more the cordial affection and attachment of his friends, he had even engaged a person of that virtue and prudence to entertain thoughts of bringing over part of his army into England, and of forcing the queen to declare the king of Scots her successor.⁵⁹ And such was Essex's impatient ardour, that, though James declined this dangerous expedient, he still endeavoured to persuade Mountjoy not to desist from the project: but the deputy, who thought that such violence, though it might be prudent, and even justifiable, when supported by a sovereign prince, next heir to the crown, would be rash and criminal, if attempted by subjects, absolutely refused his concurrence. The correspondence, however, between Essex and the

court of Scotland was still conducted with great secrecy and cordiality; and that noblemen, besides conciliating the favour of James, represented all his own adversaries as enemies to that prince's succession, and as men entirely devoted to the interests of Spain, and partisans of the chimerical title of the Infanta.

The Infanta and the archduke Albert had made some advances to the queen for peace; and Boulogne, as a neutral town, was chosen for the place of conference. Sir Henry Nevil, the English resident in France, Herbert, Edmondes, and Brade, were sent thither as ambassadors from England, and negotiated with Zuniga, Carillo, Richardot, and Verheken, ministers of Spain, and the archduke (16th May): but the conferences were soon broke off by disputes with regard to the ceremonial. Among the European states England had ever been allowed the precedence above Castile, Arragon, Portugal, and the other kingdoms of which the Spanish monarchy was composed; and Elizabeth insisted, that this ancient right was not lost on account of the junction of these states, and that that monarchy in its present situation, though it surpassed the English in extent as well as in power, could not be compared with it in point of antiquity, the only durable and regular foundation of precedence among kingdoms as well as noble families. That she might show, however, a pacific disposition, she was content to yield to an equality; but the Spanish ministers, as their nation had always disputed precedence even with France, to which England yielded, would proceed no farther in the conference till their superiority of rank were acknowledged.⁶⁹ During the preparations for this abortive negotiation the earl of Nottingham, the admiral, lord Buckhurst, treasurer, and secretary Cecil, had discovered their inclination to peace; but as the English nation, flushed with success, and sanguine in their hopes of plunder and conquest, were in general averse to that measure, it was easy for a person so popular as Essex to infuse into the multitude an opinion, that these ministers had sacrificed the interests of their country to Spain, and would even make no scruple of receiving a sovereign from that hostile nation.

HIS INSURRECTION. 1601.

BUT Essex, not content with these arts for deceiving his adversaries, proceeded to concert more violent methods of ruining them, chiefly instigated by Cuffe, his secretary, a man of a bold and arrogant spirit, who had acquired a great ascendant over his patron. A select council of malcontents was formed, who commonly met at Drury-house, and were composed of sir Charles Davers, to whom the house belonged, the earl of Southampton, sir

Ferdinando Gorges, sir Christopher Blount, sir John Davies, and John Littleton; and Essex, who boasted that he had a hundred and twenty barons, knights, and gentlemen of note at his devotion, and who trusted still more to his authority with the populace, communicated to his associates those secret designs with which his confidence in so powerful a party had inspired him. Among other criminal projects, the result of blind rage and despair, he deliberated with them concerning the method of taking arms; and asked their opinion whether he had best begin with seizing the palace of the Tower, or set out with making himself master at once of both places. The first enterprise being preferred, a method was concerted for executing it. It was agreed that sir Christopher Blount, with a choice detachment, should possess himself of the palace gates; that Davies should seize the hall, Davers the guard-chamber and presence-chamber; and that Essex should rush in from the Meuse, attended by a body of his partisans, should entreat the queen, with all demonstrations of humility, to remove his enemies; should oblige her to assemble a parliament; and should with common consent settle a new plan of government.⁶¹

While these desperate projects were in agitation, many reasons of suspicion were carried to the queen; and she sent Robert Sackville, son of the treasurer, to Essex-house, (7th Feb.) on pretence of a visit, but in reality with a view of discovering whether there were in that place any unusual concourse of people, or any extraordinary preparations which might threaten an insurrection. Soon after Essex received a summons to attend the council, which met at the treasurer's house; and while he was musing on this circumstance, and comparing it with the late unexpected visit from Sackville, a private note was conveyed to him, by which he was warned to provide for his own safety. He concluded that all his conspiracy was discovered, at least suspected; and that the easiest punishment which he had reason to apprehend, was a new and more severe confinement: he therefore excused himself to the council on pretence of an indisposition, and he immediately dispatched messages to his more intimate confederates, requesting their advice and assistance in the present critical situation of his affairs. They deliberated, whether they should abandon all their projects, and fly the kingdom; or instantly seize the palace with the force which they could assemble; or rely upon the affections of the citizens, who were generally known to have a great attachment to the earl. Essex declared against the first expedient, and professed himself determined to undergo any fate rather than submit to live the life of a fugitive. To seize the palace seemed impracticable, without more

preparations; especially as the queen seemed now aware of their projects, and, as they heard, had used the precaution of doubling her ordinary guards. There remained, therefore, no expedient but that of betaking themselves to the city; and, while the prudence and feasibility of this resolution was under debate, a person arrived, who, as if he had received a commission for the purpose, gave them assurance of the affections of the Londoners, and affirmed, that they might securely rest any project on that foundation. The popularity of Essex had chiefly buoyed him up in all his vain undertakings; and he fondly imagined, that with no other assistance than the goodwill of the multitude, he might overturn Elizabeth's government, confirmed by time, revered for wisdom, supported by vigour, and concurring with the general sentiments of the nation. The wild project of raising the city was immediately resolved on; the execution of it was delayed till next day; and emissaries were dispatched to all Essex's friends, informing them that Cobham and Raleigh had laid schemes against his life, and entreating their presence and assistance.

Next day (20th Feb.) there appeared at Essex-house the earls of Southampton and Rutland, the lords Sandys and Monteaule, with about three hundred gentlemen of good quality and fortune; and Essex informed them of the danger to which he pretended the machinations of his enemies exposed him. To come he said, that he would throw himself at the queen's feet, and crave her justice and protection; to others he boasted of his interest in the city, and affirmed, that whatever might happen, this resource could never fail him. The queen was informed of these designs, by means of intelligence conveyed, as is supposed, to Raleigh, by sir Ferdinando Gorges; and, having ordered the magistrates of London to keep the citizens in readiness, she sent Egerton, lord keeper, to Essex-house, with the earl of Worcester, sir William Knollys, controller, and Popham, chief justice, in order to learn the cause of these unusual commotions. They were with difficulty admitted through a wicket; but all their servants were excluded except the purse-bearer. After some altercation, in which they charged Essex's retainers upon their allegiance, to lay down their arms, and were menaced, in their turn, by the angry multitude who surrounded them, the earl, who found that matters were past recall, resolved to leave them prisoners in his house, and to proceed to the execution of his former project. He sallied forth with about two hundred attendants, armed only with walking swords; and in his passage to the city, was joined by the earl of Bedford and lord Cromwel. He cried aloud, *For the queen! for the queen! a plot is laid for my life;* and then proceeded to the

house of Smith the sheriff, on whose aid he had great reliance. The citizens flocked about him in amazement; but though he told them that England was sold to the Infanta, and exhorted them to arm instantly, otherwise they could not do him any service, no one showed a disposition to join him. The sheriff, on the earl's approach to his house, stole out at the back door, and made the best of his way to the mayor. Essex, meanwhile, observing the coldness of the citizens, and hearing that he was proclaimed a traitor by the earl of Cumberland and lord Burleigh, began to despair of success, and thought of retreating to his own house. He found the streets in his passage barricaded and guarded by the citizens under the command of sir John Levison. In his attempt to force his way, Tracy, a young gentleman to whom he bore great friendship, was killed with two or three of the Londoners; and the earl himself, attended by a few of his partisans (for the greater part began secretly to withdraw themselves), retired towards the river, and taking boat, arrived at Essex-house. He there found that Gorges, whom he had sent before to capitulate with the lord keeper and the other counsellors, had given all of them their liberty, and had gone to court with them. He was now reduced to despair; and appeared determined, in prosecution of lord Sandys's advice, to defend himself to the last extremity, and rather to perish, like a brave man, with his sword in his hand, than basely by the hands of the executioner: but after some parley, and after demanding in vain, first hostages, then conditions, from the besiegers, he surrendered at discretion; requesting only civil treatment, and a fair and impartial hearing.⁶²

HIS TRIAL. Feb. 19.

The queen, who during all this commotion had behaved with as great tranquillity and security as if there had only passed a fray in the streets, in which she was nowise concerned,⁶¹ soon gave orders for the trial of the most considerable of the criminals. The earls of Essex and Southampton were arraigned before a jury of twenty-five peers, where Buckhurst acted as lord steward. The guilt of the prisoners was too apparent to admit of any doubt; and, besides the insurrection known to every body, the treasonable conferences at Drury-house were proved by undoubted evidence. Sir Ferdinando Gorges was produced in court: the confessions of the earl of Rutland, of the lords Cromwel, Sandys, and Monteaule, of Dävers, Blount, and Davies, were only read to the peers, according to the practice of that age. Essex's best friends were scandalised at his assurance in insisting so positively on his innocence, and the goodness of his intentions; and still more at his vindictive disposition,

in accusing, without any appearance of reason, secretary Cecil as a partisan of the Infanta's title. The secretary, who had expected this charge, stepped into the court and challenged Essex to produce his authority, which, on examination, was found extremely weak and frivolous.⁶⁴ When sentence was pronounced, Essex spoke like a man who expected nothing but death: but he added, that he should be sorry if he were represented to the queen as a person that despised her clemency; though he should not, he believed, make any cringing submissions to obtain it. Southampton's behaviour was more mild and submissive: he entreated the good offices of the peers in so modest and becoming a manner as excited compassion in every one.

The most remarkable circumstance in Essex's trial was Bacon's appearance against him. He was none of the crown lawyers; so was not obliged by his office to assist at this trial: yet did he not scruple, in order to obtain the queen's favour, to be active in bereaving of life his friend and patron, whose generosity he had often experienced. He compared Essex's conduct, in pretending to fear the attempts of his adversaries, to that of Pisistratus the Athenian, who cut and wounded his own body; and making the people believe that his enemies had committed the violence, obtained a guard for his person, by whose assistance he afterwards subdued the liberties of his country.

After Essex had passed some days in the solitude and reflections of a prison, his proud heart was at last subdued, not by the fear of death, but by the sentiments of religion; a principle which he had before attempted to make the instrument of his ambition, but which now took a more firm hold of his mind, and prevailed over every other motive and consideration. His spiritual directors persuaded him, that he never could obtain the pardon of heaven, unless he made a full confession of his disloyalty; and he gave in to the council an account of all his criminal designs, as well as of his correspondence with the king of Scots. He spared not even his most intimate friends, such as lord Mountjoy, whom he had engaged in these conspiracies; and he sought to pacify his present remorse by making such atonements as, in any other period of his life, he would have deemed more blameable than those attempts themselves which were the objects of his penitence.⁶⁵ Sir Harry Nevil, in particular, a man of merit, he accused of a correspondence with the conspirators; though it appears that this gentleman had never assented to the proposals made him, and was no farther criminal than in not revealing the earl's treason; an office to which every man of honour naturally bears the strongest reluctance.⁶⁶ Nevil was thrown into prison, and underwent a severe persecution: but, as the queen

found Mountjoy an able and successful commander, she continued him in his government, and sacrificed her resentment to the public service.

HIS EXECUTION. Feb. 25.

ELIZABETH affected extremely the praise of clemency; and in every great example which she had made during her reign, she had always appeared full of reluctance and hesitation; but the present situation of Essex called forth all her tender affections, and kept her in the most real agitation and irresolution. She felt a perpetual combat between resentment and inclination, pride and compassion, the care of her own safety and concern for her favourite; and her situation, during this interval, was perhaps more an object of pity than that to which Essex himself was reduced. She signed the warrant for his execution; she countermanded it; she again resolved on his death; she felt a new return of tenderness. Essex's enemies told her, that he himself desired to die, and had assured her, that she could never be in safety while he lived: it is likely that this proof of penitence and concern for her would produce a contrary effect to what they intended, and would revive all the fond affection which she had so long indulged towards the unhappy prisoner. But what chiefly hardened her heart against him was his supposed obstinacy in never making, as she hourly expected, any application to her for mercy; and she finally gave her consent to his execution. He discovered at his death symptoms rather of penitence and piety than of fear; and willingly acknowledged the justice of the sentence by which he suffered. The execution was private in the Tower, agreeably to his own request. He was apprehensive, he said, lest the favour and compassion of the people would too much raise his heart in those moments, when humiliation under the afflicting hand of Heaven was the only proper sentiment which he could indulge.⁶⁷ And the queen, no doubt, thought that prudence required the removing of so melancholy a spectacle from the public eye. Sir Walter Raleigh, who came to the Tower on purpose, and who beheld Essex's execution from a window, increased much by this action the general hatred under which he already laboured: it was thought that his sole intention was to feast his eyes with the death of an enemy; and no apology which he could make for so ungenerous a conduct, could be accepted by the public. The cruelty and animosity with which he urged on Essex's fate, even when Cecil relented,⁶⁸ were still regarded as the principles of this unmanly behaviour.

The earl of Essex was but thirty-four years of age, when his rashness, imprudence, and violence, brought him to this untimely end.

We must here, as in many other instances, lament the inconstancy of human nature, that a person endowed with so many noble virtues, generosity, sincerity, friendship, valour, eloquence, and industry, should, in the latter period of his life, have given reins to his ungovernable passions, and involved not only himself but many of his friends in utter ruin. The queen's tenderness and passion for him, as it was the cause of those premature honours which he attained, seems, on the whole, the chief circumstance which brought on his unhappy fate. Confident of her partiality towards him, as well as of his own merit, he treated her with a haughtiness which neither her love nor her dignity could bear; and as her amorous inclinations, in so advanced an age, would naturally make her appear ridiculous, if not odious in his eyes, he was engaged by an imprudent openness, of which he made profession, to discover too easily those sentiments to her. The many reconciliations and returns of affection, of which he had still made advantage, induced him to venture on new provocations, till he pushed her beyond all bounds of patience; and he forgot, that though the sentiments of the woman were ever strong in her, those of the sovereign had still, in the end, appeared predominant.

Some of Essex's associates, Cuffie, Davers, Blount, Meric, and Davies, were tried and condemned, and all of these, except Davies, were executed. The queen pardoned the rest; being persuaded that they were drawn in merely from their friendship to that nobleman, and their care of his safety; and were ignorant of the most criminal part of his intentions. Southampton's life was saved with great difficulty. But he was detained in prison during the remainder of this reign.

The king of Scots, apprehensive lest his correspondence with Essex might have been discovered, and have given offence to Elizabeth, sent the earl of Marre and lord Kinloss as ambassadors to England, in order to congratulate the queen on her escape from the late insurrection and conspiracy. They were also ordered to make secret enquiry whether any measures had been taken by her for excluding him from the succession, as well as to discover the inclinations of the chief nobility and counsellors, in case of the queen's demise.⁶⁹ They found the dispositions of men as favourable as they could wish; and they even entered into a correspondence with secretary Cecil, whose influence, after the fall of Essex, was now uncontrolled,⁷⁰ and who was resolved, by this policy, to acquire in time the confidence of the successor. He knew how jealous Elizabeth ever was of her authority, and he therefore carefully concealed from her his attachment to James: but he afterwards asserted, that nothing could be more advantageous to her

than this correspondence; because the king of Scots, secure of mounting the throne by his undoubted title, aided by those connections with the English ministry, was the less likely to give any disturbance to the present sovereign. He also persuaded that prince to remain in quiet, and patiently to expect that time should open to him the inheritance of the crown, without pushing his friends on desperate enterprises, which would totally incapacitate them from serving him. James's equity, as well as his natural facility of disposition, easily inclined him to embrace that resolution;⁷¹ and in this manner the minds of the English were silently but universally disposed to admit, without opposition, the succession of the Scottish line: the death of Essex, by putting an end to faction, had been rather favourable than prejudicial to that great event.

FRENCH AFFAIRS.

THE French king, who was little prepossessed in favour of James, and who, for obvious reasons, was averse to the union of England and Scotland,⁷² made his ambassador drop some hints to Cecil, of Henry's willingness to concur in any measure for disappointing the hopes of the Scottish monarch; but as Cecil showed an entire disapprobation of such schemes, the court of France took no farther steps in that matter; and thus, the only foreign power which could give much disturbance to James's succession, was induced to acquiesce in it.⁷³ Henry made a journey this summer to Calais, and the queen hearing of his intentions went to Dover, in hopes of having a personal interview with a monarch, whom, of all others, she most loved and most respected. The king of France, who felt the same sentiments towards her, would gladly have accepted of the proposal; but as many difficulties occurred, it appeared necessary to lay aside, by common consent, the project of an interview. Elizabeth, however, wrote successively two letters to Henry, one by Edmondes, another by sir Robert Sidney; in which she expressed a desire of conferring, about a business of importance, with some minister in whom that prince reposed entire confidence. The marquis of Rosni, the king's favourite and prime minister, came to Dover in disguise; and the memoirs of that able statesman contain a full account of his conference with Elizabeth. This princess had formed a scheme for establishing, in conjunction with Henry, a new system in Europe, and of fixing a durable balance of power, by the erection of new states on the ruins of the house of Austria. She had even the prudence to foresee the perils which might ensue from the aggrandizement of her ally; and she purposed to unite all the seventeen provinces of the Low Countries in one republic, in order

to form a perpetual barrier against the dangerous increase of the French as well as of the Spanish monarchy. Henry had himself long meditated such a project against the Austrian family; and Rosni could not forbear expressing his astonishment, when he found that Elizabeth and his master, though they had never communicated their sentiments on this subject, not only had entered into the same general views, but had also formed the same plan for their execution. The affairs, however, of France were not yet brought to a situation which might enable Henry to begin that great enterprise; and Rosni satisfied the queen, that it would be necessary to postpone for some years their united attack on the house of Austria. He departed, filled with just admiration at the solidity of Elizabeth's judgment, and the greatness of her mind; and he owns that she was entirely worthy of that high reputation which she enjoyed in Europe.

The queen's magnanimity in forming such extensive projects was the more remarkable, as, besides her having fallen so far into the decline of life, the affairs of Ireland, though conducted with abilities and success, were still in disorder, and made a great diversion of her forces. The expence, incurred by this war, lay heavy upon her narrow revenues; and her ministers, taking advantage of her disposition to frugality, proposed to her an expedient of saving, which, though she at first disapproved of it, she was at last induced to embrace. It was represented to her, that the great sums of money remitted to Ireland for the pay of the English forces, came, by the necessary course of circulation, into the hands of the rebels, and enabled them to buy abroad all necessary supplies of arms and ammunition, which from the extreme poverty of that kingdom, and its want of every useful commodity, they could not otherwise find means to purchase. It was therefore recommended to her, that she should pay her forces in base money; and it was asserted, that, besides the great saving to the revenue, this species of coin could never be exported with advantage, and would not pass in any foreign market. Some of her wiser counsellors maintained, that if the pay of her soldiers were raised in proportion, the Irish rebels would necessarily reap the same benefit from the base money, which would always be taken at a rate suitable to its value; if the pay were not raised, there would be danger of a mutiny among the troops, who, whatever name might be affixed to the pieces of metal, would soon find from experience, that they were defrauded in their income.⁷¹ But Elizabeth, though she justly valued herself on fixing the standard of the English coin, much debased by her predecessors, and had innovated very little in that

delicate article, was seduced by the specious arguments employed by the treasurer on this occasion; and she coined a great quantity of base money, which he made use of in the pay of her forces in Ireland.⁷²

MOUNTJOY'S SUCCESS IN IRELAND.

MOUNTJOY, the deputy, was a man of abilities; and foreseeing the danger of mutiny among the troops, he led them instantly into the field, and resolved by means of strict discipline, and by keeping them employed against the enemy, to obviate those inconveniences which were justly to be apprehended. He made military roads, and built a fortress at Moghery; he drove the Mag-Genises out of Lecale; he harassed Tyrone in Ulster with incursions and lesser expeditions; and by destroying every where, and during all seasons, the provisions of the Irish, he reduced them to perish by famine in the woods and morasses, to which they were obliged to retreat. At the same time, sir Henry Docwray, who commanded another body of troops, took the castle of Derry, and put garrisons into Newton and Aynoh; and having seized the monastery of Downegall near Balishannon, he threw troops into it, and defended it against the assaults of O'Donnel and the Irish. Nor was sir George Carew idle in the province of Munster. He seized the titular earl of Desmond, and sent him over, with Florence Macarty, another chieftain, prisoner to England. He arrested many suspected persons, and took hostages from others. And having got a reinforcement of two thousand men from England, he threw himself into Corke, which he supplied with arms and provisions; and he put every thing in a condition for resisting the Spanish invasion, which was daily expected. The deputy, informed of the danger to which the southern provinces were exposed, left the prosecution of the war against Tyrone, who was reduced to great extremities; and he marched with his army into Munster.

At last the Spaniards, under don John d'Aquila, arrived at Kinsale (23rd Sept.); and sir Richard Piercy, who commanded in the town with a small garrison of a hundred and fifty men, found himself obliged to abandon it on their appearance. These invaders amounted to four thousand men, and the Irish discovered a strong propensity to join them, in order to free themselves from the English government, with which they were extremely discontented. One chief ground of their complaint was the introduction of trials by jury;⁷³ an institution abhorred by that people, though nothing contributes more to the support of that equity and liberty, for which the English laws are so justly celebrated. The Irish also bore a great favour to the Spaniards, having entertained the

opinion that they themselves were descended from that nation; and their attachment to the catholic religion proved a new cause of affection to the invaders. D'Aquila assumed the title of general in the *holy war for the preservation of the faith* in Ireland; and he endeavoured to persuade the people that Elizabeth was, by several bulls of the pope, deprived of her crown; that her subjects were absolved from their oaths of allegiance: and that the Spaniards were come to deliver the Irish from the dominion of the devil.⁷⁷ Mountjoy found it necessary to act with vigour, in order to prevent a total insurrection of the Irish; and having collected his forces, he formed the siege of Kinsale by land; while sir Richard Levison,¹ with a small squadron, blockaded it by sea. He had no sooner begun his operations, than he heard of the arrival of another body of two thousand Spaniards under the command of Alphonso Ocampo, who had taken possession of Baltimore and Berhaven; and he was obliged to detach sir George Carew to oppose their progress. Tyrone, meanwhile, with Randal, Mac-Surley, Tírel baron of Kelly, and other chieftains of the Irish, had joined Ocampo with all their forces, and were marching to the relief of Kinsale. The deputy, informed of their design by intercepted letters, made preparations to receive them; and being reinforced by Levison with six hundred marines, he posted his troops on an advantageous ground, which lay on the passage of the enemy, leaving some cavalry to prevent a sally from d'Aquila and the Spanish garrison. When Tyrone, with a detachment of Irish and Spaniards, approached, he was surprised to find the English so well posted, and ranged in good order; and he immediately sounded a retreat: but the deputy gave orders to pursue him; and having thrown these advanced troops into disorder, he followed them to the main body, whom he also attacked, and put to flight, with the slaughter of twelve hundred men.⁷⁸ Ocampo was taken prisoner; Tyrone fled into Ulster; O'Donnel made his escape into Spain; and d'Aquila, finding himself reduced to the greatest difficulties, was obliged to capitulate upon such terms as the deputy prescribed to him: he surrendered Kinsale and Baltimore, and agreed to evacuate the kingdom. This great blow, joined to other successes, gained by Wilmot, governor of Kerry, and by Roger and Gavin Harvey, threw the rebels into dismay, and gave a prospect of the final reduction of Ireland.

A PARLIAMENT. Oct. 27.

THE Irish war, though successful, was extremely burthensome on the queen's revenue; and besides the supplies granted by parliament, which were indeed very small, but which they

ever regarded as mighty concessions, she had been obliged, notwithstanding her great frugality, to employ other expedients, such as selling the royal demesnes and crown jewels,⁷⁹ and exacting loans from the people;⁸⁰ in order to support this cause, so essential to the honour and interests of England. The necessity of her affairs obliged her again to summon a parliament; and it here appeared, that, though old age was advancing fast upon her, though she had lost much of her popularity by the unfortunate execution of Essex, insomuch that, when she appeared in public, she was not attended with the usual acclamations,⁸¹ yet the powers of her prerogative, supported by vigour, still remained as high and uncontrollable as ever.

The active reign of Elizabeth had enabled many persons to distinguish themselves in civil and military employments; and the queen, who was not able, from her revenue, to give them any rewards proportioned to their services, had made use of an expedient which had been employed by her predecessor, but which had never been carried to such an extreme as under her administration. She granted her servants and courtiers patents for monopolies; and these patents they sold to others, who were thereby enabled to raise commodities to what price they pleased, and who put invincible restraints upon all commerce, industry, and emulation in the arts. It is astonishing to consider the number and importance of those commodities, which were thus assigned over to patentees. Currants, salt, iron, powder, cards, calf skins, fells, pouldavies, ox-shin bones, train-oil, lists of cloth, pot-ashes, anniseeds, vinegar, sea-coals, steel, aquavivie, brushes, pots, bottles, saltpetre, lead, accidences, oil, calamine-stone, oil of blubber, glasses, paper, starch, tin, sulphur, new drapery, dried pilchards, transportation of iron ordnance, of beer, of horn, of leather, importation of Spanish wool, of Irish yarn: these are but a part of the commodities which had been appropriated to monopolists.⁸² When this list was read in the house, a member cried, *Is not bread in the number? Bread!* said every one with astonishment: *Yes, I assure you,* replied he, *if affairs go on at this rate, we shall have bread reduced to a monopoly before next parliament*⁸³ These monopolists were so exorbitant in their demands, that in some places they raised the price of salt from sixteen-pence a bushel, to fourteen or fifteen shillings.⁸⁴ Such high profits naturally begat intruders upon their commerce; and in order to secure themselves against encroachments, the patentees were armed with high and arbitrary powers from the council, by which they were enabled to oppress the people at pleasure, and to exact money from such as they thought proper to accuse of interfering with their patent.⁸⁵ The patentees of saltpetre having the

power of entering into every house, and of committing what havoc they pleased in stables, cellars, or wherever they suspected salt-petre might be gathered, commonly extorted money from those who desired to free themselves from this damage or trouble.⁸⁶ And while all domestic intercourse was thus restrained, lest any scope should remain for industry, almost every species of foreign commerce was confined to exclusive companies, who bought and sold at any price that they themselves thought proper to offer or exact.

These grievances, the most intolerable for the present, and the most pernicious in their consequences that ever were known in any age, or under any government, had been mentioned in the last parliament, and a petition had even been presented to the queen complaining of the patents; but she still persisted in defending her monopolists against her people. A bill was now introduced into the lower house, abolishing all these monopolies; and as the former application had been successful, a law was insisted on as the only certain expedient for correcting these abuses. The courtiers, on the other hand, maintained that this matter regarded the prerogative, and that the commons could never hope for success if they did not make application, in the most humble and respectful manner, to the queen's goodness and beneficence. The topics which were advanced in the house, and which came equally from the courtiers and the country gentlemen, and were admitted by both, will appear the most extraordinary to such as are prepossessed with an idea of the privileges enjoyed by the people during that age, and of the liberty possessed under the administration of Elizabeth. It was asserted, that the queen inherited both an enlarging and a restraining power; by her prerogative she might set at liberty what was restrained by statute or otherwise, and by her prerogative she might restrain what was otherwise at liberty.⁸⁷ that the royal prerogative was not to be canvassed, nor disputed, nor examined;⁸⁸ and did not even admit of any limitation;⁸⁹ that absolute princes, such as the sovereigns of England, were a species of divinity;⁹⁰ that it was in vain to attempt tying the queen's hands by laws or statutes; since, by means of her dispensing power, she could loosen herself at pleasure;⁹¹ and that even if a clause should be annexed to a statute, excluding her dispensing power, she could first dispense with that clause, and then which the statute.⁹² After all this discourse, more worthy of a Turkish divan than of an English house of commons, according to our present idea of this assembly, the queen, who perceived how odious monopolies had become, and what heats were likely to arise, sent for the speaker, and desired him to acquaint the house, that she would immedi-

ately cancel the most grievous and oppressive of these patents. [See note V, at the end of this Vol.]

The house was struck with astonishment, and admiration, and gratitude, at this extraordinary instance of the queen's goodness and condescension. A member said, with tears in his eyes, that if a sentence of everlasting happiness had been pronounced in his favour, he could not have felt more joy than that with which he was at present overwhelmed.⁹³ Another observed, that this message from the sacred person of the queen was a kind of gospel or glad-tidings, and ought to be received as such, and be written in the tablets of their hearts.⁹⁴ And it was farther remarked, that in the same manner as the Deity would not give his glory to another, so the queen herself was the only agent in their present prosperity and happiness.⁹⁵ The house voted, that the speaker, with a committee, should ask permission to wait on her majesty, and return thanks to her for her gracious concessions to her people.

When the speaker, with the other members, was introduced to the queen, they all flung themselves on their knees; and remained in that posture a considerable time, till she thought proper to express her desire that they should rise.⁹⁶ The speaker displayed the gratitude of the commons; because her sacred ears were ever open to hear them, and her blessed hands ever stretched out to relieve them. They acknowledged, he said, in all duty and thankfulness acknowledged, that before they called, her *presenting grace and all-deserving goodness* watched over them for their good; more ready to give than they could desire, much less deserve. He remarked, that the attribute which was most proper to God, to perform all he promiseth, appertained also to her; and that she was all truth, all constancy, and all goodness. And he concluded with these expressions, "Neither do we present our thanks in words, or any outward sign, which can be no sufficient retribution for so great goodness; but in all duty and thankfulness, prostrate at your feet, we present our most loyal and thankful hearts, even the last drop of blood in our hearts, and the last spirit of breath in our nostrils, to be poured out, to be breathed up for your safety."⁹⁷ The queen heard very patiently this speech, in which she was flattered in phrases appropriated to the Supreme Being; and she returned an answer full of such expressions of tenderness towards her people, as ought to have appeared fulsome after the late instances of rigour which she had employed, and from which nothing but necessity had made her depart. Thus was this critical affair happily terminated; and Elizabeth, by prudently receding, in time, from part of her prerogative, maintained her dignity and preserved the affections of her people.

The commons granted her a supply quite unprecedented, of four subsidies and eight fifteenths; and they were so dutiful as to vote this supply before they received any satisfaction in the business of monopolies, which they justly considered as of the utmost importance to the interest and happiness of the nation. Had they attempted to extort that concession by keeping the supply in suspense; so haughty was the queen's disposition, that this appearance of constraint and jealousy had been sufficient to have produced a denial of all their requests, and to have forced her into some acts of authority still more violent and arbitrary.

The remaining events of this reign are neither numerous nor important.....1602. The queen, finding that the Spaniards had involved her in so much trouble by fomenting and assisting the Irish rebellion, resolved to give them employment at home; and she fitted out a squadron of nine ships, under sir Richard Levison, admiral, and sir William Monson, vice-admiral, whom she sent on an expedition to the coast of Spain. The admiral, with part of the squadron, met the galleons loaded with treasure; but was not strong enough to attack them. The vice-admiral also fell in with some rich ships; but they escaped for a like reason: and these two brave officers, that their expedition might not prove entirely fruitless, resolved to attack the harbour of Cerimbra in Portugal, where they received intelligence, a very rich carrack had taken shelter. The harbour was guarded by a castle: there were eleven galleys stationed in it: and the militia of the country, to the number, as was believed, of twenty thousand men, appeared in arms on the shore: yet, notwithstanding these obstacles, and others derived from the winds and tides, the English squadron broke into the harbour, dismounted the guns of the castle, sunk, or burnt, or put to flight, the galleys, and obliged the carrack to surrender.⁹⁸ They brought her home to England, and she was valued at a million of ducats.⁹⁹ A sensible loss to the Spaniards; and a supply still more important to Elizabeth.¹⁰⁰

TYRONE'S SUBMISSION. 1603.

THE affairs of Ireland, after the defeat of Tyrone and the expulsion of the Spaniards, hastened to a settlement. Lord Mountjoy divided his army into small parties, and harassed the rebels on every side. He built Charlemont, and many other small forts, which were impregnable to the Irish, and guarded all the important passes of the country: the activity of sir Henry Docwray and sir Arthur Chichester permitted no repose or security to the rebels: and many of the chieftains, after skulking, during some time, in woods and morasses,

submitted to mercy, and received such conditions as the deputy was pleased to impose upon them. Tyrone himself made application by Arthur Mac-Baron, his brother, to be received upon terms; but Mountjoy would not admit him except he made an absolute surrender of his life and fortunes to the queen's mercy. He appeared before the deputy at Millefont, in a habit and posture suitable to his present fortune; and after acknowledging his offence in the most humble terms, he was committed to custody by Mountjoy, who intended to bring him over captive into England, to be disposed of at the queen's pleasure.

QUEEN'S SICKNESS' AND DEATH.

BUT Elizabeth was now incapable of receiving any satisfaction from this fortunate event: she had fallen into a profound melancholy; which all the advantages of her high fortune, all the glories of her prosperous reign, were unable in any degree to alleviate or assuage. Some ascribed this depression of mind to her repentance of granting a pardon to Tyrone, whom she had always resolved to bring to condign punishment for his treasons, but who had made such interest with the ministers, as to extort a remission from her. Others, with more likelihood, accounted for her dejection by a discovery which she had made of the correspondence maintained in her court with her successor the king of Scots, and by the neglect to which, on account of her old age and infirmities, she imagined herself to be exposed. But there is another cause assigned for her melancholy, which has long been rejected by historians as romantic, but which late discoveries seem to have confirmed:¹⁰¹ some incidents happened which revived her tenderness for Essex, and filled her with the deepest sorrow for the consent which she had unwarily given to his execution.

The earl of Essex, after his return from the fortunate expedition against Cadiz, observing the increase of the queen's fond attachment towards him, took occasion to regret, that the necessity of her service required him often to be absent from her person, and exposed him to all those ill offices, which his enemies, more assiduous in their attendance, could employ against him. She was moved with this tender jealousy; and making him the present of a ring, desired him to keep that pledge of her affection, and assured him, that into whatever disgrace he should fall, whatever prejudices she might be induced to entertain against him, yet if he sent her that ring, she would immediately upon sight of it recal her former tenderness, would afford him a patient hearing, and would lend a favourable ear to his apology. Essex, notwithstanding all his misfortunes, reserved this precious gift to the last extre-

mity; but after his trial and condemnation, he resolved to try the experiment, and he committed the ring to the countess of Nottingham, whom he desired to deliver it to the queen. The countess was prevailed on by her husband, the mortal enemy of Essex, not to execute the commission; and Elizabeth, who still expected that her favourite would make this last appeal to her tenderness, and who ascribed the neglect of it to his invincible obstinacy, was, after much delay and many internal combats, pushed by resentment and policy to sign the warrant for his execution. The countess of Nottingham falling into sickness, and affected with the near approach of death, was seized with remorse for her conduct; and having obtained a visit from the queen, she craved her pardon, and revealed to her the fatal secret. The queen, astonished with this incident, burst into a furious passion: she shook the dying countess in her bed; and crying to her, *That God might pardon her, but she never could*, she broke from her, and thenceforth resigned herself over to the deepest and most incurable melancholy. She rejected all consolation: she even refused food and sustenance; and throwing herself on the floor, she remained sullen and immovable, feeding her thoughts on her afflictions, and declaring life and existence an insufferable burthen to her. Few words she uttered; and they were all expressive of some inward grief, which she cared not to reveal: but sighs and groans were the chief vent which she gave to her despondency, and which, though they discovered her sorrows, were never able to ease or assuage them. Ten days and nights she lay upon the carpet, leaning on cushions which her maids brought her; and her physicians could not persuade her to allow herself to be put to bed, much less to make trial of any remedies which they prescribed to her.¹⁰² Her anxious mind at last had so long preyed on her frail body, that her end was visibly approaching; and the council, being assembled, sent the keeper, admiral, and secretary, to know her will with regard to her successor. She answered with a faint voice, that as she had held a regal sceptre, she desired no other than a royal successor. Cecil requesting her to explain herself more particularly, she subjoined, that she would have a king to succeed her; and who should that be, but her nearest kinsman, the king of Scots? Being then advised by the archbishop of Canterbury to fix her thoughts upon God, she replied, that she did so, nor did her mind in the least wander from him. Her voice soon after left her; her senses failed; she fell into a lethargic slumber, which continued some hours, and she expired gently, without farther struggle or convulsion (24th March), in the seventieth year of her age, and forty-fifth of her reign.

CHARACTER.

So dark a cloud overcast the evening of that day, which had shone out with a mighty lustre in the eyes of all Europe. There are few great personages in history who have been more exposed to the calumny of enemies, and the adulation of friends, than queen Elizabeth; and yet there scarcely is any whose reputation has been more certainly determined by the unanimous consent of posterity. The unusual length of her administration, and the strong features of her character, were able to overcome all prejudices; and obliging her detractors to abate much of their invectives, and her admirers somewhat of their panegyrics, have at last, in spite of political factions, and what is more, of religious animosities, produced a uniform judgment with regard to her conduct. Her vigour, her constancy, her magnanimity, her penetration, vigilance, address, are allowed to merit the highest praises, and appear not to have been surpassed by any person that ever filled a throne: a conduct less rigorous, less imperious, more sincere, more indulgent to her people, would have been requisite to form a perfect character. By the force of her mind, she controlled all her more active and stronger qualities, and prevented them from running into excess: her heroism was exempt from temerity, her frugality from avarice, her friendship from partiality, her active temper from turbulence and vain ambition: she guarded not herself with equal care or equal success from lesser infirmities; the rivalry of beauty, the desire of admiration, the jealousy of love, and the sallies of anger.

Her singular talents for government were founded equally on her temper and on her capacity. Endowed with a great command over herself, she soon obtained an uncontrolled ascendancy over her people; and while she merited all their esteem by her real virtues, she also engaged their affections by her pretended ones. Few sovereigns of England succeeded to the throne in more difficult circumstances; and none ever conducted the government with such uniform success and felicity. Though unacquainted with the practice of toleration, the true secret for managing religious factions, she preserved her people, by her superior prudence, from those confusions in which theological controversy had involved all the neighbouring nations: and though her enemies were the most powerful princes of Europe, the most active, the most enterprising, the least scrupulous, she was able by her vigour to make deep impressions on their states: her own greatness meanwhile remained untouched and unimpaired.

The wise ministers and brave warriors who flourished under her reign share the praise of

her success; but instead of lessening the applause due to her, they make great addition to it. They owed all of them their advancement to her choice; they were supported by her constancy; and with all their abilities they were never able to acquire any undue ascendancy over her. In her family, in her court, in her kingdom, she remained equally mistress: the force of the tender passions was great over her, but the force of her mind was still superior; and the combat which her victory visibly cost her, serves only to display the firmness of her resolution, and the loftiness of her ambitious sentiments.

The fame of this princess, though it has surmounted the prejudices both of faction and bigotry, yet lies still exposed to another prejudice, which is more durable because more natural, and which, according to the different views in which we survey her, is capable

either of exalting beyond measure, or diminishing the lustre of her character. This prejudice is founded on the consideration of her sex. When we contemplate her as a woman, we are apt to be struck with the highest admiration of her great qualities and extensive capacity; but we are also apt to require some more softness of disposition, some greater lenity of temper, some of those amiable weaknesses by which her sex is distinguished. But the true method of estimating her merit, is to lay aside all these considerations, and consider her merely as a rational being placed in authority, and intrusted with the government of mankind. We may find it difficult to reconcile our fancy to her as a wife or a mistress; but her qualities as a sovereign, though with some considerable exceptions, are the object of undisputed applause and approbation.

NOTES.

- 1 Sir J. Davies, p. 5, 6, 7, &c.
- 2 Sir J. Davies, p. 102, 103, &c.
- 3 Sir J. Davies, p. 133, 134, &c.
- 4 See Spencer's Account of Ireland, throughout.
- 5 Camden, p. 457.
- 6 Memoirs of the Sidneys, vol. i. p. 86.
- 7 Cox, p. 342. Sidney, vol. i. p. 80, 200.
- 8 Camden, p. 542. Sidney, vol. i. p. 61, 109, 183, 184.
- 9 Camden, p. 385, 391.
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- 41 Birch's Memoirs, p. 144.
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- 49 Winwood, vol. i. p. 211.
- 50 Birch's Memoirs, vol. ii. p. 462.
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- 62 Camden, p. 630. Birch's Memoirs, vol. ii. p. 464. State Trials. Bacon,
- 63 Camden, p. 632.
- 64 Birch's Memoirs, vol. ii. p. 469.
- 65 Bacon, vol. iv. p. 530.
- 66 Winwood, vol. i. p. 300.
- 67 Winwood, vol. i. p. 302.
- 68 Dr. Barlow's sermon on Essex's caution. Bacon, vol. iv. p. 534.
- 69 Mordaunt, p. 811.
- 70 Birch's Memoirs, vol. ii. p. 510.
- 71 Osborne, p. 615.
- 72 Spotwood, p. 471, 472.
- 73 Winwood, vol. i. p. 352.
- 74 Spotwood, p. 471.
- 75 Camden, p. 643.
- 76 Rymer, tom. xvi. p. 414.
- 77 Sidney, p. 644.
- 78 Camden, p. 645.
- 79 Winwood, vol. i. p. 369.
- 80 D'Ewes, p. 629.
- 81 D'Ewes, p. 602. Osborne, p. 601.
- 82 D'Ewes, p. 648, 650, 652.
- 83 D'Ewes, p. 648.
- 84 D'Ewes, p. 647.
- 85 D'Ewes, p. 644, 646, 652.
- 86 D'Ewes, p. 653.
- 87 D'Ewes, p. 644, 675.
- 88 D'Ewes, p. 644, 649.
- 89 D'Ewes, p. 646, 654.
- 90 D'Ewes, p. 649.
- 91 D'Ewes, p. 649.
- 92 D'Ewes, p. 640, 646.
- 93 D'Ewes, p. 651.
- 94 D'Ewes, p. 650.
- 95 D'Ewes, p. 657.
- 96 We learn from Heintzner's Travels, that no one spoke to queen Elizabeth without kneeling; though now and then she raised some with waving her hand. Nay, wherever she turned her eye, every one fell on his knees. Her successor first allowed his courtiers to omit this ceremony; and as he exerted not the power, so he relinquished the appearance of despotism. Even when queen Elizabeth was absent, those who covered her table, though persons of quality, neither approached it nor retired from it without kneeling, and that often three times.
- 97 D'Ewes, p. 658, 659.
- 98 Motson, p. 181.
- 99 Camden, p. 647.
- 100 This year the Spaniards began the siege of Ostend, which was bravely defended for five months by sir Francis Vere. The States then relieved him, by sending a new governor; and on the whole the siege lasted three years, and is computed to have cost the lives of a hundred thousand men.
- 101 See the proofs of this remarkable fact collected in Birch's Negotiations, p. 206; and Memoirs, vol. ii. p. 481, 505, 506, &c.
- 102 Styrpe, vol. iv. No. 276.

APPENDIX III.

*Government of England. — Revenues. — Commerce. — Military Force. —
Manufactures. — Learning.*

GOVERNMENT OF ENGLAND.

THE party among us who have distinguished themselves by their adhering to liberty and a popular government, have long indulged their prejudices against the succeeding race of princes, by bestowing unbounded panegyrics on the virtue and wisdom of Elizabeth. They have even been so extremely ignorant of the transactions of this reign, as to extol her for a quality which, of all others, she was the least possessed of; a tender regard for the constitution, and a concern for the liberties and privileges of her people. But as it is scarcely possible for the prepossessions of party to throw a veil much longer over facts so palpable and undeniable, there is danger lest the public should run into the opposite extreme, and should entertain an aversion to the memory of a princess who exercised the royal authority in a manner so contrary to all the ideas which we at present entertain of a legal constitution. But Elizabeth only supported the prerogatives transmitted to her by her predecessors: she believed that her subjects were entitled to no more liberty than their ancestors had enjoyed: she found that they entirely acquiesced in her arbitrary administration: and it was not natural for her to find fault with a form of government by which she herself was invested with such unlimited authority. In the particular exertions of power the question ought never to be forgotten, *What is best?* But in the general distribution of power among the several members of a constitution, there can seldom be admitted any other question than *What is established?* Few examples occur of princes who have willingly resigned their power: none of those who have, without struggle and reluctance, allowed it to be extorted from them. If any other rule than established practice be followed, factions and dissensions must multiply without end: and though many constitutions, and none more than the British, have been improved even by violent innovations, the praise bestowed on those patriots to whom the nation has been indebted for its privileges, ought to be given with some reserve, and surely without the least rancour against those who adhered to the ancient constitution.¹

In order to understand the ancient constitu-

tion of England, there is not a period which deserves more to be studied than the reign of Elizabeth. The prerogatives of this princess were scarcely ever disputed, and she therefore employed them without scruple; her imperious temper, a circumstance in which she went far beyond her successors, rendered her exertions of power violent and frequent, and discovered the full extent of her authority: the great popularity which she enjoyed proves that she did not infringe any *established* liberties of the people: there remains evidence sufficient to ascertain the most noted acts of her administration: and though that evidence must be drawn from a source wide of the ordinary historians, it becomes only the more authentic on that account, and serves as a stronger proof that her particular exertions of power were conceived to be nothing but the ordinary course of administration, since they were not thought remarkable enough to be recorded even by contemporary writers. If there was any difference in this particular, the people in former reigns seem rather to have been more submissive than even during the age of Elizabeth:² it may not here be improper to recount some of the ancient prerogatives of the crown, and lay open the sources of that great power which the English monarchs formerly enjoyed.

One of the most ancient and most established instruments of power was the court of Star-Chamber, which possessed an unlimited discretionary authority of fining, imprisoning, and inflicting corporal punishment, and whose jurisdiction extended to all sorts of offences, contempts, and disorders, that lay not within reach of the common law. The members of this court consisted of the privy council and the judges; men who, all of them, enjoyed their offices during pleasure: and when the prince himself was present, he was the sole judge, and all the others could only interpose with their advice. There needed but this one court in any government to put an end to all regular, legal, and exact plans of liberty: for who durst set himself in opposition to the crown and ministry, or aspire to the character of being a patron of freedom, while exposed to so arbitrary a jurisdiction? I much question whether any of the absolute monarchies in Europe contain at present so illegal and despotic a tribunal.

The court of High Commission was another

jurisdiction still more terrible; both because the crime of heresy, of which it took cognizance, was more undefinable than any civil offence, and because its methods of inquisition, and of administering oaths, were more contrary to all the most simple ideas of justice and equity. The fines and imprisonments imposed by this court were frequent: the deprivations and suspensions of the clergy for non-conformity were also numerous, and comprehended at one time the third of all the ecclesiastics of England.³ The queen, in a letter to the archbishop of Canterbury said expressly, that she was resolved, "That no man should be suffered to decline, either on the left or on the right hand, from the drawn line limited by authority, and by her laws and injunctions."⁴

But Martial Law went beyond even these, two courts in a prompt, and arbitrary, and violent method of decision. Whenever there was any insurrection or public disorder, the crown employed martial law; and it was, during that time, exercised not only over the soldiers, but over the whole people: any one might be punished as a rebel, or an aider and abettor of rebellion, whom the provost-martial, or lieutenant of a county, or their deputies, pleased to suspect. Lord Bacon says, that the trial at common law, granted to the earl of Essex and his fellow-conspirators, was a favour; for that the case would have borne and required the severity of martial law.⁵ We have seen instances of its being employed by queen Mary in defence of orthodoxy. There remains a letter of queen Elizabeth's to the earl of Sussex, after the suppression of the northern rebellion, in which she sharply reproves him because she had not heard of his having executed any criminals by martial law;⁶ though it is probable that near eight hundred persons suffered, one way or other, on account of that slight insurrection. But the kings of England did not always limit the exercise of this law to times of civil war and disorder. In 1552, when there was no rebellion or insurrection, king Edward granted a commission of martial law; and empowered the commissioners to execute it, *as should be thought by their discretions most necessary.*⁷ Queen Elizabeth too was not sparing in the use of this law. In 1573, one Peter Burchet, a puritan, being persuaded that it was meritorious to kill such as opposed the truth of the gospel, ran into the streets, and wounded Hawkins, the famous sea-captain, whom he took for Hatton, the queen's favourite. The queen was so incensed, that she ordered him to be punished instantly by martial law; but, upon the remonstrance of some prudent counsellors, who told her that this law was usually confined to turbulent times, she recalled her order, and delivered over Burchet to the com-

mon law.⁸ But she continued not always so reserved in exerting this authority. There remains a proclamation of her's, in which she orders martial law to be used against all such as import bulls, or even forbidden books and pamphlets from abroad;⁹ and prohibits the questioning of the lieutenants, or their deputies, for their arbitrary punishment of such offenders, *any law or statute to the contrary in anywise notwithstanding.* We have another act of her's still more extraordinary. The streets of London were much infested with idle vagabonds and riotous persons: the lord mayor had endeavoured to repress this disorder: the Star-Chamber had exerted its authority, and inflicted punishment on these rioters: but the queen, finding those remedies ineffectual, revived martial law, and gave sir Thomas Wilford a commission of provost martial. "Granting him authority, and commanding him, upon signification given by the justices of peace in London, or the neighbouring counties, of such offenders worthy to be speedily executed by martial law, to attach and take the same persons, and in the presence of the said justices, according to justice of martial law, to execute them upon the gallows or gibbet openly, or near to such place where the said rebellious and incorrigible offenders shall be found to have committed the said great offences."¹⁰ I suppose it would be difficult to produce an instance of such an act of authority in any place nearer than Muscovy. The patent of high constable, granted to earl Rivers by Edward IV, proves the nature of the office. The powers are unlimited, perpetual, and remain in force during peace as well as during war and rebellion. The parliament in Edward VIth's reign acknowledged the jurisdiction of the constable and martial's court to be part of the law of the land.¹¹

The Star-Chamber, and High Commission, and Court-martial, though arbitrary jurisdictions, had still some pretence of a trial, at least of a sentence; but there was a grievous punishment very generally inflicted in that age, without any other authority than the warrant of a secretary of state, or of the privy council;¹² and that was imprisonment in any jail, and during any time that the ministers should think proper. In suspicious times, all the jails were full of prisoners of state; and these unhappy victims of public jealousy were sometimes thrown into dungeons, and loaded with irons, and treated in the most cruel manner, without their being able to obtain any remedy from law.

This practice was an indirect way of employing torture: but the rack itself, though not admitted in the ordinary execution of justice,¹³ was frequently used, upon any suspicion, by authority of a warrant from a secretary or the privy council. Even the council in the

marches of Wales was empowered, by their very commission, to make use of torture whenever they thought proper.¹⁴ There cannot be a stronger proof how lightly the rack was employed, than the following story told by lord Bacon. We shall give it in his own words: "The queen was mightily incensed against Haywarde, on account of a book he dedicated to lord Essex, being a story of the first year of Henry IV. thinking it a seditious prelude to put into the people's heads boldness and faction:¹⁵ she said, she had an opinion that there was treason in it, and asked me, If I could not find any places in it, that might be drawn within the case of treason? Whereto I answered, For treason, sure I found none; but for felony very many: and when her majesty hastily asked me, Wherein? I told her, the author had committed very apparent theft: for he had taken most of the sentences of Cornelius Tacitus, and translated them into English, and put them into his text. And another time when the queen could not be persuaded that it was his writing whose name was to it, but that it had some more mischievous author, and said, with great indignation, that she would have him racked to produce his author; I replied, Nay, madam, he is a doctor, never rack his person, but rack his style: let him have pen, ink, and paper, and help of books, and be enjoined to continue the story where it breaketh off, and I will undertake, by collating the styles, to judge whether he were the author or no."¹⁶ Thus, had it not been for Bacon's humanity, or rather his wit, this author, a man of letters, had been put to the rack for a most innocent performance. His real offence was, his dedicating a book to that munificent patron of the learned, the earl of Essex, at a time when this nobleman lay under her majesty's displeasure.

The queen's menace, of trying and punishing Haywarde for treason, could easily have been executed, let his book have been ever so innocent. While so many terrors hung over the people, no jury durst have acquitted a man, when the court was resolved to have him condemned. The practice also of not confronting witnesses with the prisoner, gave the crown lawyers all imaginable advantage against him. And, indeed, there scarcely occurs an instance during all these reigns, that the sovereign or the ministers were ever disappointed in the issue of a prosecution. Timid juries, and judges who held their offices during pleasure, never failed to second all the views of the crown. And as the practice was anciently common, of fining, imprisoning, or otherwise punishing the jurors, merely at the discretion of the court, for finding a verdict contrary to the direction of these dependent judges; it is obvious, that juries were then no manner of security to the liberty of the subject.

The power of pressing both for sea and land service, and obliging any person to accept of any office, however mean or unfit for him, was another prerogative totally incompatible with freedom. Osborne gives the following account of Elizabeth's method of employing this prerogative. "In case she found any likely to interrupt her occasions," says he, "she did seasonably prevent him by a chargeable employment abroad, or putting him upon some service at home which she knew least grateful to the people: contrary to a false maxim, since practised with far worse success, by such princes as thought it better husbandry to buy off enemies than reward friends."¹⁷ The practice with which Osborne reproaches the two immediate successors of Elizabeth, proceeded partly from the extreme difficulty of their situation, partly from the greater lenity of their disposition. The power of pressing, as may naturally be imagined, was often abused, in other respects, by men of inferior rank; and officers often exacted money for freeing persons from the service.¹⁸

The government of England, during that age, however different in other particulars, bore, in this respect, some resemblance of that of Turkey at present: the sovereign possessed every power except that of imposing taxes: and in both countries this limitation, unsupported by other privileges, appears rather prejudicial to the people. In Turkey, it obliges the sultan to permit the extortion of the bashas and governors of provinces, from whom he afterwards squeezes presents or takes forfeitures: in England, it engaged the queen to erect monopolies, and grant patents for exclusive trade: an invention so pernicious, that had she gone on during a tract of years at her own rate, England, the seat of riches, and arts, and commerce, would have contained at present as little industry as Morocco, or the coast of Barbary.

We may farther observe, that this valuable privilege, valuable only because it proved afterwards the means by which the parliament extorted all their other privileges, was very much encroached on in an indirect manner during the reign of Elizabeth, as well as of her predecessors. She often exacted loans from her people; an arbitrary and unequal kind of imposition, and which individuals felt severely: for though the money had been regularly repaid, which was seldom the case,¹⁹ it lay in the prince's hands without interest, which was a sensible loss to the persons from whom the money was borrowed.

There remains a proposal made by lord Burleigh for levying a general loan on the people, equivalent to a subsidy;²⁰ a scheme which would have laid the burthen more equally, but which was, in different words, a taxation imposed without consent of parliament. It is

remarkable, that the scheme thus proposed without any visible necessity by that wise minister, is the very same which Henry VIII. executed, and which Charles I. enraged by ill usage from his parliament, and reduced to the greatest difficulties, put afterwards in practice, to the great discontent of the nation.

The demand of benevolence was another invention of that age for taxing the people. This practice was so little conceived to be irregular, that the commons in 1585 offered the queen a benevolence; which she very generously refused, as having no occasion at that time for money.²² Queen Mary also, by an order of council, increased the customs in some branches; and her sister imitated the example.²³ There was a species of ship money imposed at the time of the Spanish invasion: the several ports were required to equip a certain number of vessels at their own charge; and such was the alacrity of the people for the public defence, that some of the ports, particularly London, sent double the number demanded of them.²⁴ When any levies were made for Ireland, France, or the Low Countries, the queen obliged the counties to levy the soldiers, to arm and clothe them, and carry them to the sea-ports at their own charge. New-year's gifts were at that time expected from the nobility, and from the more considerable gentry.²⁵

Purveyance and pre-emption were also methods of taxation, unequal, arbitrary, and oppressive. The whole kingdom sensibly felt the burthen of those impositions; and it was regarded as a great privilege conferred on Oxford and Cambridge, to prohibit the purveyors from taking any commodities within five miles of these universities. The queen victualled her navy by means of this prerogative, during the first years of her reign.²⁶

Wardship was the most regular and legal of all these impositions by prerogative: yet was it a great badge of slavery, and oppressive to all the considerable families. When an estate devolved to a female, the sovereign obliged her to marry any one he pleased: whether the heir were male or female, the crown enjoyed the whole profit of the estate during the minority. The giving of a rich wardship was a usual method of rewarding a courtier or favourite.

The inventions were endless which arbitrary power might employ for the extorting of money, while the people imagined that their property was secured by the crown's being debarred from imposing taxes. Strype has preserved a speech of lord Burleigh to the queen and council, in which are contained some particulars not a little extraordinary.²⁷ Burleigh proposes that she should erect a court for the correction of all abuses, and should confer on the commissioners a general inquisitorial power over the whole kingdom. He sets before her the example of her wise grandfather Henry VII.

who, by such methods, extremely augmented his revenue; and he recommends that this new court should proceed, "as well by the direction and ordinary course of the laws, as by virtue of her majesty's supreme regiment and *absolute power, from whence law proceeded.*" In a word, he expects from this institution greater accession to the royal treasure than Henry VIII. derived from the abolition of the abbays, and all the forfeitures of ecclesiastical revenues. This project of lord Burleigh's needs not, I think, any comment. A form of government must be very arbitrary indeed, where a wise and good minister could make such a proposal to the sovereign.

Embargoes on merchandize was another engine of royal power, by which the English princes were able to extort money from the people. We have seen instances in the reign of Mary. Elizabeth, before her coronation, issued an order to the custom-house, prohibiting the sale of all crimson silks which should be imported, till the court were first supplied.²⁸ She expected, no doubt, a good penny-worth from the merchants while they lay under this restraint.

The parliament pretended to the right of enacting laws, as well as of granting subsidies; but this privilege was, during that age, still more insignificant than the other. Queen Elizabeth expressly prohibited them from meddling either with state matters or ecclesiastical causes; and she openly sent the members to prison who dared to transgress her imperial edict in these particulars. There passed few sessions of parliament during her reign where there occur not instances of this arbitrary conduct.

But the legislative power of the parliament was a mere fallacy; while the sovereign was universally acknowledged to possess a dispensing power, by which all the laws could be invalidated, and rendered of no effect. The exercise of this power was also an indirect method practised for erecting monopolies. Where the statutes laid any branch of manufacture under restrictions, the sovereign, by exempting one person from the laws, gave him in effect the monopoly of that commodity.²⁹ There was no grievance at that time more universally complained of than the frequent dispensing with the penal laws.³⁰

But in reality the crown possessed the full legislative power by means of proclamations, which might affect any matter even of the greatest importance, and which the Star-Chamber took care to see more rigorously executed than the laws themselves. The motives for these proclamations were sometimes frivolous and even ridiculous. Queen Elizabeth had taken offence at the smell of woad; and she issued an edict prohibiting any one from cultivating that useful plant.³¹ She was also pleased

to take offence at the long swords and high ruffs then in fashion: she sent about her officers to break every man's sword, and clip every man's ruff, which was beyond a certain dimension.³² This practice resembles the method employed by the great Czar Peter, to make his subjects change their garb.

The queen's prohibition of the *prophesyings*, or the assemblies instituted for fanatical prayers and conferences, was founded on a better reason; but shows still the unlimited extent of her prerogative. Any number of persons could not meet together in order to read the scriptures, and confer about religion, though in ever so orthodox a manner, without her permission.

There were many other branches of prerogative incompatible with the strict regulation of liberty. None of the nobility could marry without permission from the sovereign. The queen detained the earl of Southampton long in prison, because he privately married the earl of Essex's cousin.³³ No man could travel without the consent of the prince. Sir William Evers underwent a severe persecution because he had presumed to pay a private visit to the king of Scots.³⁴ The sovereign even assumed a supreme and uncontrolled authority over all foreign trade; and neither allowed any person to enter or depart the kingdom, nor any commodity to be imported or exported without his consent.³⁵

The parliament, in the thirteenth of the queen, praised her for not imitating the practice usual among her predecessors, of stopping the course of justice by particular warrants.³⁶ There could not possibly be a greater abuse nor a stronger mark of arbitrary power; and the queen in refraining from it was very laudable. But she was by no means constant in this reserve. There remain in the public records some warrants of her's for exempting particular persons from all law-suits and prosecutions;³⁷ and these warrants, she says, she grants from her royal prerogative, which she will not allow to be disputed.

It was very usual in queen Elizabeth's reign, and probably in all the preceding reigns, for noblemen or privy-counsellors to commit to prison any one who had happened to displease them, by suing for his just debts; and the unhappy person, though he gained his cause in the courts of justice, was commonly obliged to relinquish his property in order to obtain his liberty. Some likewise, who had been delivered from prison by the judges, were again committed to custody in secret places, without any possibility of obtaining relief; and even the officers and serjeants of the courts of law were punished for executing the writs in favour of these persons. Nay, it was usual to send for people by pursuivants, a kind of harpies, who then attended the orders of the council and

high commission; and they were brought up to London, and constrained by imprisonment, not only to withdraw their lawful suits, but also to pay the pursuivants great sums of money. The judges, in the 34th of the queen, complain to her majesty of the frequency of this practice. It is probable that so egregious a tyranny was carried no farther down than the reign of Elizabeth; since the parliament, who presented the petition of right, found no later instances of it.³⁸ And even these very judges of Elizabeth who thus protect the people against the tyranny of the great, expressly allow, that a person committed by special command of the queen is not bailable.

It is easy to imagine that in such a government, no justice could by course of law be obtained of the sovereign, unless he were willing to allow it. In the naval expedition undertaken by Raleigh and Frobisher against the Spaniards in the year 1592, a very rich carrack was taken, worth two hundred thousand pounds. The queen's share in the adventure was only a tenth; but as the prize was so great, and exceeded so much the expectation of all the adventurers, she was determined not to rest contented with her share. Raleigh humbly and earnestly begged her to accept of a hundred thousand pounds in lieu of all demands, or rather extortions; and says, that the present which the proprietors were willing to make her, of eighty thousand pounds, was the greatest that ever prince received from a subject.³⁹

But it is no wonder the queen in her administration should pay so little regard to liberty; while the parliament itself in enacting laws was entirely negligent of it. The persecuting statutes which they passed against papists and puritans are extremely contrary to the genius of freedom; and by exposing such multitudes to the tyranny of priests and bigots, accustomed the people to the most disgraceful subjection. Their conferring an unlimited supremacy on the queen, or, what is worse, acknowledging her inherent right to it, was another proof of their voluntary servitude.

The law of the 23d of her reign, making seditious words against the queen capital, is also a very tyrannical statute; and a use no less tyrannical was sometimes made of it. The case of Udal, a puritanical clergyman, seems singular even in those arbitrary times. This man had published a book called a *Demonstration of Discipline*, in which he inveighed against the government of bishops; and though he had carefully endeavoured to conceal his name, he was thrown into prison upon suspicion, and brought to a trial for this offence. It was pretended, that the bishops were part of the queen's political body; and to speak against them was really to attack her, and was therefore felony by the statute.

This was not the only iniquity to which Udal was exposed. The judges would not allow the jury to determine any thing but the fact, whether Udal had written the book or not, without examining his intention or the import of the words. In order to prove the fact, the crown lawyers did not produce a single witness to the court: they only read the testimony of two persons absent, one of whom said, that Udal had told him he was the author; another, that a friend of Udal's had said so. They would not allow Udal to produce any exculpatory evidence; which they said was never to be permitted against the crown.⁴⁰ And they tendered him an oath, by which he was required to depose, that he was not the author of the book; and his refusal to make that deposition was employed as the strongest proof of his guilt. It is almost needless to add, that notwithstanding these multiplied iniquities, a verdict of death was given by the jury against Udal: for, as the queen was extremely bent upon his prosecution, it was impossible he could escape.⁴¹ He died in prison before the execution of the sentence.

The case of Penry was, if possible, still harder. The man was a zealous puritan, or rather a Brownist, a small sect, which afterwards increased, and received the name of Independants. He had written against the hierarchy several tracts, such as *Martin Marprelate*, *Theses Martiniana*, and other compositions, full of low scurrility and petulant satire. After concealing himself for some years, he was seized; and, as the statute against seditious words required that the criminal should be tried within a year after committing the offence, he could not be indicted for his printed books. He was therefore tried for some papers found in his pocket, as if he had thereby scattered sedition.⁴² It was also imputed to him, by the lord keeper Puckering, that in some of these papers, "he had not only acknowledged her majesty's royal power to *establish* laws, ecclesiastical and civil; but had avoided the usual terms of *making, enacting, decreeing, and ordaining laws*: which imply," says the lord keeper, "a most absolute authority."⁴³ Penry, for these offences, was condemned and executed.

Thus we have seen, that the *most absolute* authority of the sovereign, to make use of the lord keeper's expression, was established on above twenty branches of prerogative, which are now abolished, and which were, every one of them, totally incompatible with the liberty of the subject. But what ensured more effectually the slavery of the people, than even these branches of prerogative, was the established principles of the times, which attributed to the prince such an unlimited and indefeasible power as was supposed to be the origin of all law, and could be circumscribed

by none. The homilies published for the use of the clergy, and which they were enjoined to read every Sunday in all the churches, inculcate every where a blind and unlimited passive obedience to the prince, which, on no account, and under no pretence, it is ever lawful for subjects in the smallest article to depart from or infringe. Much noise has been made because some court chaplains during the succeeding reigns were permitted to preach such doctrines; but there is a great difference between these sermons and discourses published by authority, avowed by the prince and council, and promulgated to the whole nation.¹ So thoroughly were these principles imbibed by the people, during the reigns of Elizabeth and her predecessors, that opposition to them was regarded as the most flagrant sedition and was not even rewarded by that public praise and approbation which can alone support men under such dangers and difficulties as attend the resistance of tyrannical authority.⁴⁵ It was only during the next generation that the noble principles of liberty took root and spreading themselves under the shelter of puritanical absurdities, became fashionable among the people.

It is worth remarking, that the advantage usually ascribed to absolute monarchy, a greater regularity of police, and a more strict execution of the laws, did not attend the former English government, though in many respects it fell under that denomination. A demonstration of this truth is contained in a judicious paper which is preserved by Strype,⁴⁶ and which was written by an eminent justice of peace of Somersetshire, in the year 1596, near the end of the queen's reign; when the authority of that princess may be supposed to be fully corroborated by time, and her maxims of government improved by long practice. This paper contains an account of the disorders which then prevailed in the county of Somerset. The author says, that forty persons had there been executed in a year for robberies, thefts, and other felonies; thirty-five burnt in the hand, thirty-seven whipped, one hundred and eighty-three discharged: that those who were discharged were most wicked and desperate persons, who never could come to any good, because they would not work, and none would take them into service: that, notwithstanding this great number of indictments, the fifth part of the felonies committed in the county were not brought to a trial; the greater number escaped censure, either from the superior cunning of the felons, the remissness of the magistrates, or the foolish lenity of the people: that the rapines committed by this infinite number of wicked, wandering, idle people, were intolerable to the poor country men, and obliged them to keep a perpetual watch over the sheep folds, their pastures

their woods, and their corn fields: that the other counties of England were in no better condition than Somersetshire; and many of them were even in a worse: that there were at least three or four hundred able-bodied vagabonds in every county, who lived by theft and rapine; and who sometimes met in troops to the number of sixty, and committed spoil on the inhabitants: that if all the felons of this kind were assembled, they would be able, if reduced to good subjection, to give the greatest enemy her majesty has a *strong battle*: and that the magistrates themselves were intimidated from executing the laws upon them; and there were instances of justices of peace, who, after giving sentence against rogues, had interposed to stop the execution of their own sentence, on account of the danger which hung over them, from the confederates of these felons.

In the year 1575, the queen complained in parliament of the bad execution of the laws; and threatened, that if the magistrates were not for the future more vigilant, she would intrust authority to indigent and needy persons, who would find an interest in a more exact administration of justice.⁴⁷ It appears that she was as good as her word. For in the year 1601, there were great complaints made in parliament of the rapine of justices of peace; and a member said, that this magistrate was an animal who for half a dozen of chickens would dispense with a dozen penal statutes.⁴⁸ It is not easy to account for this relaxation of government and neglect of police during a reign of so much vigour as that of Elizabeth. The small revenue of the crown is the most likely cause that can be assigned. The queen had it not in her power to interest a great number in assisting her to execute the laws. [*See note W, at the end of this Vol.*]

On the whole, the English have no reason, from the example of their ancestors, to be in love with the picture of absolute monarchy; or to prefer the unlimited authority of the prince and his unbounded prerogatives to that noble liberty, that sweet equality, and that happy security by which they are at present distinguished above all nations in the universe. The utmost that can be said in favour of the government of that age (and perhaps it may be said with truth) is, that the power of the prince, though really unlimited, was exercised after the European manner, and entered not into every part of the administration; that the instances of a high exerted prerogative were not so frequent as to render property sensibly insecure, or reduce the people to a total servitude; that the freedom from faction, the quickness of execution, and the promptitude of those measures, which could be taken for offence or defence, made some compensation for the want of a legal and determinate liberty; that as the prince commanded

no mercenary army, there was a tacit check on him, which maintained the government in that medium to which the people had been accustomed; and that this situation of England, though seemingly it approached nearer; was in reality more remote from a despotic and eastern monarchy than the present government of that kingdom, where the people, though guarded by multiplied laws, are totally naked, defenceless, and disarmed; and besides, are not secured by any middle power, or independent powerful nobility, interposed between them and the monarch.

We shall close the present Appendix with a brief account of the revenues, the military force, the commerce, the arts, and the learning of England during this period.

REVENUES.

QUEEN ELIZABETH'S economy was remarkable; and in some instances seemed to border on avarice. The smallest expence, if it could possibly be spared, appeared considerable in her eyes; and even the charge of an express during the most delicate transaction was not below her notice.⁴⁹ She was also attentive to every profit; and embraced opportunities of gain which may appear somewhat extraordinary. She kept, for instance, the see of Ely vacant nineteen years, in order to retain the revenue;⁵⁰ and it was usual with her, when she promoted a bishop, to take opportunity of pillaging the see of some of its manors.⁵¹ But that in reality there was little or no avarice in the queen's temper, appears from this circumstance, that she never amassed any treasure; and even refused subsidies from the parliament when she had no present occasion for them. Yet we must not conclude, from this circumstance, that her economy proceeded from a tender concern for her people: she loaded them with monopolies and exclusive patents, which are much more oppressive than the most heavy taxes levied in an equal and regular manner. The real source of her frugal conduct was derived from her desire of independency, and her care to preserve her dignity, which would have been endangered had she reduced herself to the necessity of having frequent recourse to parliamentary supplies. In consequence of this motive, the queen, though engaged in successful and necessary wars, thought it more prudent to make a continual dilapidation of the royal demesnes,⁵² than demand the most moderate supplies from the commons. As she lived unmarried, and had no posterity, she was content to serve her present turn, though at the expence of her successors; who, by reason of this policy, joined to other circumstances, found themselves on a sudden reduced to the most extreme indigence.

The splendour of a court was, during this age, a great part of the public charge; and as Elizabeth was a single woman, and expensive in no kind of magnificence, except clothes, this circumstance enabled her to perform great things by her narrow revenue. She is said to have paid four millions of debt, left on the crown by her father, brother, and sister; an incredible sum for that age.⁵³ The States, at the time of her death, owed her about eight hundred thousand pounds: and the king of France four hundred and fifty thousand.⁵⁴ Though that prince was extremely frugal, and after the peace of Vervins was continually amassing treasure, the queen never could, by the most pressing importunities, prevail on him to make payment of those sums which she had so generously advanced him during his greatest distresses. One payment of twenty thousand crowns, and another of fifty thousand, were all she could obtain by the strongest representations she could make of the difficulties to which the rebellion of Ireland had reduced her.⁵⁵ The queen expended on the wars with Spain, between the years 1589 and 1593, the sum of one million three hundred thousand pounds, besides the pittance of a double subsidy, amounting to two hundred and eighty thousand pounds, granted her by parliament.⁵⁶ In the year 1589 she spent six hundred thousand pounds in six months on the service of Ireland.⁵⁷ Sir Robert Cecil affirmed, that in ten years Ireland cost her three millions four hundred thousand pounds.⁵⁸ She gave the earl of Essex a present of thirty thousand pounds upon his departure for the government of that kingdom.⁵⁹ Lord Burleigh computed, that the value of the gifts conferred on that favourite, amounted to three hundred thousand pounds; a sum which, though probably exaggerated, is a proof of her strong affection towards him! It was a common saying during this reign; *The queen pays bountifully, though she rewards sparingly.*⁶⁰

It is difficult to compute exactly the queen's ordinary revenue, but it certainly fell much short of five hundred thousand pounds a-year.⁶¹ In the year 1590 she raised the customs from fourteen thousand pounds a-year to fifty thousand, and obliged sir Thomas Smith, who had farmed them, to refund some of his former profits.⁶² This improvement of the revenue was owing to the suggestions of one Caermarthen; and was opposed by Burleigh, Leicester, and Walsingham: but the queen's perseverance overcame all their opposition. The great undertakings which she executed with so narrow a revenue, and with such small supplies from her people, prove the mighty effects of wisdom and economy. She received from the parliament, during the course of her whole reign, only twenty subsidies and thirty-nine fifteenths. I pretend not to de-

termine exactly the amount of these supplies: because the value of a subsidy was continually falling; and in the end of her reign it amounted only to eighty thousand pounds.⁶³ If we suppose that the supplies granted Elizabeth during a reign of forty-five years amounted to three millions, we shall not probably be much wide of the truth.⁶⁴ This sum makes only sixty-six thousand six hundred and sixty-six pounds a-year; and it is surprising, that while the queen's demands were so moderate, and her expences so well regulated, she should ever have found any difficulty in obtaining a supply from parliament, or be reduced to make sale of the crown-lands. But such was the extreme, I had almost said absurd, parsimony of the parliaments during that period. They valued nothing in comparison of their money. The members had no connection with the court; and the very idea which they conceived of the trust committed to them was, to reduce the demands of the crown, and to grant as few supplies as possible. The crown, on the other hand, conceived the parliament in no other light than as a means of supply. Queen Elizabeth made a merit to her people of seldom summoning parliaments.⁶⁵ No redress of grievances was expected from these assemblies: they were supposed to meet for no other purpose than to impose taxes.

Before the reign of Elizabeth, the English princes had usually recourse to the city of Antwerp for voluntary loans; and their credit was so low, that besides paying the high interest of ten or twelve per cent. they were obliged to make the city of London join in the security. Sir Thomas Gresham, that great and enterprising merchant, one of the chief ornaments of this reign, engaged the company of merchant adventurers to grant a loan to the queen; and as the money was regularly repaid, her credit by degrees established itself in the city, and she shook off this dependence on foreigners.⁶⁶

In the year 1559, however, the queen employed Gresham to borrow for her two hundred thousand pounds at Antwerp, in order to enable her to reform the coin, which was at that time extremely debased.⁶⁷ She was so impolitic as to make, herself, an innovation in the coin; by dividing a pound of silver into sixty-two shillings, instead of sixty the former standard. This is the last time that the coin has been tampered with in England.

COMMERCE.

QUEEN ELIZABETH, sensible how much the defence of her kingdom depended on its naval power, was desirous to encourage commerce and navigation: but as her monopolies tended

to extinguish all domestic industry, which is much more valuable than foreign trade, and is the foundation of it, the general train of her conduct was ill calculated to serve the purpose at which she aimed, much less to promote the riches of her people. The exclusive companies also were an immediate check on foreign trade. Yet, notwithstanding these discouragements, the spirit of the age was strongly bent on naval enterprises; and besides the military expeditions against the Spaniards, many attempts were made for new discoveries, and many new branches of foreign commerce were opened by the English. Sir Martin Frobisher undertook three fruitless voyages to discover the north-west passage: Davis, not discouraged by this ill success, made a new attempt, when he discovered the straits which pass by his name. In the year 1600, the queen granted the first patent to the East-India company: the stock of that company was seventy-two thousand pounds; and they fitted out four ships under the command of James Lancaster, for this new branch of trade. The adventure is successful; and the ships returning with a rich cargo, encouraged the company to continue the commerce.

The communication with Muscovy had been opened in queen Mary's time by the discovery of the passage to Archangel: but the commerce to that country did not begin to be carried on to a great extent till about the year 1569. The queen obtained from the czar an exclusive patent to the English for the whole trade of Muscovy;⁶⁸ and she entered into a personal as well as national alliance with him. This czar was named John Basilides, a furious tyrant, who, continually suspecting the revolt of his subjects, stipulated to have a safe retreat and protection in England. In order the better to ensure this resource, he purposed to marry an English woman; and the queen intended to have sent him Lady Anne Hastings, daughter of the earl of Huntingdon: but when the lady was informed of the barbarous manners of the country, she wisely declined purchasing an empire at the expence of her ease and safety.⁶⁹

The English, encouraged by the privileges which they had obtained from Basilides, ventured farther into those countries than any Europeans had formerly done. They transported their goods along the river Dwina in boats made of one entire tree, which they towed and rowed up the stream as far as Walogda. Thence they carried their commodities seven days' journey by land to Yeraskau, and then down the Volga to Astracan. At Astracan they built ships, crossed the Caspian Sea, and distributed their manufactures into Persia. But this bold attempt met with such discouragements, that it was never renewed.⁷⁰

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After the death of John Basilides, his son Theodore revoked the patent which the English enjoyed for a monopoly of the Russian trade: when the queen remonstrated against this innovation, he told her ministers, that princes must carry an indifferent hand, as well between their subjects as between foreigners; and not convert trade, which by the laws of nations ought to be common to all, into a monopoly for the private gain of a few.⁷¹ So much juster notions of commerce were entertained by this barbarian than appear in the conduct of the renowned queen Elizabeth! Theodore, however, continued some privileges to the English, on account of their being the discoverers of the communication between Europe and his country.

The trade to Turkey commenced about the year 1583; and that commerce was immediately confined to a company by queen Elizabeth. Before that time the grand signior had always conceived England to be a dependent province of France;⁷² but having heard of the queen's power and reputation, he gave a good reception to the English, and even granted them larger privileges than he had given to the French.

The merchants of the Hanse-towns complained loudly, in the beginning of Elizabeth's reign, of the treatment which they had received in the reigns of Edward and Mary. She prudently replied, that as she would not innovate any thing, she would still protect them in the immunities and privileges of which she found them possessed. This answer not contenting them, their commerce was soon after suspended for a time, to the great advantage of the English merchants, who tried what they could themselves effect for promoting their commerce. They took the whole trade into their own hands; and their returns proving successful, they divided themselves into staplers and merchant adventurers; the former residing constantly at one place, the latter trying their fortunes in other towns and states abroad with cloth and other manufactures. This success so enraged the Hanse Towns, that they tried all the methods which a discontented people could devise, to draw upon the English merchants the ill opinion of other nations and states. They prevailed so far as to obtain an imperial edict, by which the English were prohibited all commerce in the empire: the queen, by way of retaliation, retained sixty of their ships, which had been seized in the river Tagus with contraband goods of the Spaniards. These ships the queen intended to have restored, as desiring to have compromised all differences with those trading cities; but when she was informed that a general assembly was held at Lubec, in order to concert measures for distressing the English trade, she caused the ships and cargoes to be confiscated: only two of them were released to carry home the news,

and to inform these states that she had the greatest contempt imaginable for all their proceedings.⁷¹

Henry VIII. in order to fit out a navy, was obliged to hire ships from Hamburgh, Lubec, Dantzic, Genoa, and Venice: but Elizabeth, very early in her reign, put affairs upon a better footing; both by building some ships of her own, and by encouraging the merchants to build large trading vessels, which on occasion were converted into ships of war.⁷² In the year 1582, the seamen in England were found to be fourteen thousand two hundred and ninety-five men;⁷³ the number of vessels twelve hundred and thirty two: of which there were only two hundred and seventeen above eighty tons. Monson pretends, that though navigation decayed in the first years of James I. by the practice of the merchants, who carried on their trade in foreign bottoms,⁷⁶ yet before the year 1640 this number of sea men was tripled in England.⁷⁷

MILITARY FORCE.

THE navy which the queen left at her decease appears considerable, when we reflect only on the number of vessels, which were forty-two: but when we consider that none of these ships carried above forty guns; that four only came up to that number; that there were but two ships of a thousand tons, and twenty-three below five hundred, some of fifty, and some even of twenty tons; and that the whole number of guns belonging to the fleet was seven hundred and seventy-four;⁷⁸ we must entertain a contemptible idea of the English navy, compared to the force which it has now attained. [*See note X, at the end of this Vol.*] In the year 1588, there were not above five vessels fitted out by the noblemen and sea-ports which exceeded two hundred tons.⁷⁹

In the year 1599, an alarm was given of an invasion by the Spaniards: and the queen equipped a fleet and levied an army in a fortnight to oppose them. Nothing gave foreigners a higher idea of the power of England than this sudden armament. In the year 1575, all the militia in the kingdom were computed at a hundred and eighty-two thousand nine hundred and twenty-nine.⁸⁰ A distribution was made in the year 1595 of a hundred and forty thousand men, besides those which Wales could supply.⁸¹ These armies were formidable by their numbers; but their discipline and experience were not proportionate. Small bodies from Dunkirk and Newport frequently ran over and plundered the east coast: so unfit was the militia, as it was then constituted, for the defence of the kingdom. The lord lieutenants were first appointed to the counties in this reign.

Mr. Murden⁸² has published from the Salis-

bury collections, a paper which contains the military force of the nation at the time of the Spanish Armada, and which is somewhat different from the account given by our ordinary historians. It makes all the able-bodied men of the kingdom amount to a hundred and eleven thousand five hundred and thirteen; those armed, to eighty thousand eight hundred and seventy-five; of whom forty-four thousand seven hundred and twenty-seven were trained. It must be supposed that these able bodied men consisted of such only as were registered, otherwise the small number is not to be accounted for. Yet sir Edward Coke,⁸³ said in the house of commons, that he was employed about the same time, together with Popham, chief justice, to take a survey of all the people of England, and that they found them to be 900,000, of all sorts. This number, by the ordinary rules of computation, supposes that there were above 200,000 men able to bear arms. Yet even this number is surprisingly small. Can we suppose that the kingdom is six or seven times more populous at present? and that Murden's was the real number, excluding catholics and children, and infirm persons?

Harrison says, that in the musters taken in the years 1574 and 1575, the men fit for service amounted to 1,172,674; yet was it believed that a full third was omitted. Such uncertainty and contradiction are there in all these accounts. Notwithstanding the greatness of this number, the same author complains much of the decay of populousness—a vulgar complaint in all places and all ages. Guicciardini makes the inhabitants of England in this reign amount to two millions.

Whatever opinion we may form of the comparative populousness of England in different periods, it must be allowed that, abstracting from the national debt, there is a prodigious increase of power in that, more perhaps than in any other European state since the beginning of the last century. It would be no paradox to affirm, that Ireland alone could at present exert a greater force than all the three kingdoms were capable of at the death of queen Elizabeth. And we might go farther, and assert, that one good county in England is able to make, at least to support, a greater effort than the whole kingdom was capable of in the reign of Harry V.; when the maintenance of a garrison in a small town like Calais formed more than a third of the ordinary national expence. Such are the effects of liberty, industry, and good government.

The state of the English manufactures was at this time very low; and foreign wares of almost all kinds had the preference.⁸⁴ About the year 1590, there were in London four persons only rated in the subsidy books so high as four hundred pounds.⁸⁵ This computation

is not, indeed, to be deemed an exact estimate of their wealth. In 1567 there were found, on inquiry, to be four thousand eight hundred and fifty-one strangers of all nations in London: of whom three thousand eight hundred and thirty-eight were Flemings, and only fifty-eight Scots.⁸⁶ The persecutions in France and the Low Countries drove afterwards a greater number of foreigners into England; and the commerce as well as manufactures of that kingdom was very much improved by them.⁸⁷ It was then that sir Thomas Gresham built, at his own charge, the magnificent fabric of the Exchange for the reception of the merchants: the queen visited it, and gave it the appellation of the Royal Exchange.

By a lucky accident in language, which has a great effect on men's ideas, the invidious word *usury*, which formerly meant the taking of any interest for money, came now to express only the taking of exorbitant and illegal interest. An act passed in 1571 violently condemns all usury; but permits ten per cent. interest to be paid. Henry IV. of France reduced interest to $6\frac{1}{2}$ per cent.: an indication of the great advance of France above England in commerce.

Dr. Howell says,⁸⁸ that queen Elizabeth in the third of her reign was presented with a pair of black silk knit stockings by her silk-woman, and never wore cloth hose any more. The author of the present State of England says, that about 1577, pocket watches were first brought into England from Germany. They are thought to have been invented at Nuremberg. About 1580, the use of coaches was introduced by the earl of Arundel.⁸⁹ Before that time, the queen, on public occasions, rode behind her chamberlain.

Camden says, that in 1581 Randolph, so much employed by the queen in foreign embassies, possessed the office of post-master-general of England. Rappares, therefore, that posts were then established; though, from Charles I.'s regulations in 1635, it would seem that few post-houses were erected before that time.

In a remonstrance of the Hanse Towns to the diet of the empire in 1582, it is affirmed that England exported annually about 200,000 pieces of cloth.⁹⁰ This number seems to be much exaggerated.

In the fifth of this reign was enacted the first law for the relief of the poor.

A judicious author of that age confirms the vulgar observation, that the kingdom was depopulating from the increase of inclosures and decay of tillage; and he ascribes the reason very justly to the restraints put on the exportation of corn; while full liberty was allowed to export all the produce of pasturage, such as wool, hides, leather, tallow, &c. These prohibitions of exportation were derived from

the prerogative, and were very injudicious. The queen, once, on the commencement of her reign, had tried a contrary practice, and with good success. From the same author we learn, that the complaints renewed in our time, were then very common, concerning the high prices of every thing.⁹¹ There seems, indeed, to have been two periods in which prices rose remarkably in England, namely, that in queen Elizabeth's reign, when they are computed to have doubled, and that in the present age. Between the two, there seems to have been a stagnation. It would appear that industry, during that intermediate period, increased as fast as gold and silver, and kept commodities nearly at a par with money.

There were two attempts made in this reign to settle colonies in America: one by sir Humphrey Gilbert in Newfoundland, another by sir Walter Raleigh in Virginia: but neither of these projects proved successful. All those noble settlements were made in the following reigns. The current specie of the kingdom in the end of this reign is computed at four millions.⁹²

The earl of Leicester desired sir Francis Walsingham, then ambassador in France, to provide him with a riding-master in that country, to whom he promises a hundred pounds a year, besides maintaining himself and servant, and a couple of horses. "I know," adds the earl, "that such a man as I want may receive higher wages in France: but let him consider, that a shilling in England goes as far as two shillings in France."⁹³ It is known that every thing is much changed since that time.

MANNERS.

The nobility in this age still supported, in some degree, the ancient magnificence in their hospitality, and in the numbers of their retainers; and the queen found it prudent to retrench, by proclamation, their expences in this last particular.⁹⁴ The expence of hospitality she somewhat encouraged by the frequent visits she paid her nobility, and the sumptuous feasts which she received from them.⁹⁵ The earl of Leicester gave her an entertainment in Kenilworth castle, which was extraordinary for expence and magnificence. Among other particulars, we are told, that three hundred and sixty-five hogsheds of beer were drunk at it.⁹⁶ The earl had fortified this castle at great expence; and it contained arms for ten thousand men.⁹⁷ The earl of Derby had a family consisting of two hundred and forty servants.⁹⁸ Stowe remarks it as a singular proof of beneficence in this nobleman, that he was contented with his rent from his tenants, and exacted not any extraordinary services from them: a proof that the great power of the sovereign (what was almost

unavoidable) had very generally countenanced the nobility in tyrannising over the people. Burleigh, though he was frugal, and had no paternal estate, kept a family consisting of a hundred servants.⁹⁹ He had a standing table for gentlemen, and two other tables for persons of meaner condition, which were always served alike, whether he were in town or in the country. About his person he had people of great distinction, inasmuch that he could reckon up twenty gentlemen retainers, who had each a thousand pounds a year; and as many among his ordinary servants, who were worth from a thousand pounds to three, five, ten, and twenty thousand pounds.¹⁰⁰ It is to be remarked, that though the revenues of the crown were at that time very small, the ministers and courtiers sometimes found means, by employing the boundless prerogative, to acquire greater fortunes than it is possible for them at present to amass, from their larger salaries, and more limited authority.

Burleigh entertained the queen twelve several times in his country-house; where she remained three, four, or five weeks at a time. Each visit cost him two or three thousand pounds.¹⁰¹ The quantity of silver plate possessed by this nobleman is surprising: no less than fourteen or fifteen thousand pounds weight; [*See note Y, at the end of this Vol.*] which besides the fashion would be above forty-two thousand pounds sterling in value. Yet Burleigh left only 4000 pounds a year in land, and 11,000 pounds in money; and as land was then commonly sold at ten years' purchase, his plate was nearly equal to all the rest of his fortune. It appears that little value was then put upon the fashion of the plate, which probably was but rude: the weight was chiefly considered.¹⁰²

But, though there were preserved great remains of the ancient customs, the nobility were by degrees acquiring a taste for elegant luxury; and many edifices in particular were built by them, neat, large, and sumptuous, to the great ornament of the kingdom, says Camden;¹⁰³ but to the no less decay of the glorious hospitality of the nation. It is, however, more reasonable to think, that this new turn of expence promoted arts and industry; while the ancient hospitality was the source of vice, disorder, sedition, and idleness. [*See note Z, at the end of this Vol.*]

Among the other species of luxury, that of apparel began much to increase during this age; and the queen thought proper to restrain it by proclamation.¹⁰⁴ Her example was very little conformable to her edicts. As no woman was ever more conceited of her beauty, or more desirous of making impression on the hearts of beholders, no one ever went to a greater extravagance in apparel, or studied more the variety and richness of her dresses.

She appeared almost every day in a different habit; and tried all the several modes by which she hoped to render herself agreeable. She was also so fond of her clothes that she never could part with any of them; and at her death she had in her wardrobe all the different habits, to the number of three thousand, which she had ever worn in her lifetime.¹⁰⁵

The retrenchment of the ancient hospitality, and the diminution of retainers, were favourable to the prerogative of the sovereign; and by disabling the great noblemen from resistance, promoted the execution of the laws, and extended the authority of the courts of justice. There were many peculiar causes in the situation and character of Henry VII. which augmented the authority of the crown: most of these causes concurred in succeeding princes; together with the factions in religion, and the acquisition of the supremacy, a most important article of prerogative: but the manners of the age were a general cause which operated during this whole period, and which continually tended to diminish the riches, and still more the influence of the aristocracy, anciently so formidable to the crown. The habits of luxury dissipated the immense fortunes of the ancient barons; and as the new methods of expence gave subsistence to mechanics and merchants, who lived in an independent manner on the fruits of their own industry, a nobleman, instead of that unlimited ascendant which he was wont to assume over those who were maintained at his board, or subsisted by salaries conferred on them, retained only that moderate influence which customers have over tradesmen, and which can never be dangerous to civil government. The landed proprietors also, having a greater demand for money than for men, endeavoured to turn their lands to the best account with regard to profit; and either inclosing their fields, or joining many small farms into a few large ones, dismissed those useless hands which formerly were always at their call in every attempt to subvert the government, or oppose a neighbouring baron. By all these means the cities increased; the middle rank of men began to be rich and powerful; the prince, who in effect was the same with the law, was implicitly obeyed; and though the farther progress of the same causes begat a new plan of liberty, founded on the privileges of the commons, yet in the interval between the fall of the nobles and the rise of this order, the sovereign took advantage of the present situation, and assumed an authority almost absolute.

Whatever may be commonly imagined, from the authority of lord Bacon, and from that of Harrington, and later authors, the laws of Henry VII. contributed very little towards the great revolution which happened about this period in the English constitution. The practice

of breaking entails by a fine and recovery had been introduced in the preceding reigns; and this prince only gave indirectly a legal sanction to the practice, by reforming some abuses which attended it. But the settled authority which he acquired to the crown, enabled the sovereign to encroach on the separate jurisdictions of the barons, and produced a more general and regular execution of the laws. The counties palatine underwent the same fate as the feudal powers; and, by a statute of Henry VIII.¹⁰⁶ the jurisdiction of these counties was annexed to the crown, and all writs were ordained to run in the king's name. But the change of manners was the chief cause of the secret revolution of government, and subverted the power of the barons. There appear still in this reign some remains of the ancient slavery of the boors and peasants,¹⁰⁷ but none afterwards.

LEARNING.

LEARNING, on its revival, was held in high estimation by the English princes and nobles; and as it was not yet prostituted by being too common, even the great deemed it an object of ambition to attain a character for literature. The four successive sovereigns, Henry, Edward, Mary, and Elizabeth, may on one account or other be admitted into the class of authors. Queen Catharine Parr translated a book: lady Jane Gray, considering her age, and her sex, and her station, may be regarded as a prodigy of literature. Sir Thomas Smith was raised from being professor in Cambridge, first to be ambassador to France, then secretary of state. The dispatches of those times, and among others those of Burleigh himself, are frequently interlarded with quotations from the Greek and Latin classics. Even the ladies of the court valued themselves on knowledge: lady Burleigh, lady Bacon, and their two sisters, were mistresses of the ancient as well as modern languages; and placed more pride in their erudition than in their rank and quality.

Queen Elizabeth wrote and translated several books; and she was familiarly acquainted with the Greek as well as Latin tongue. [See note AA, at the end of this Vol.] It is pretended that she made an extemporary reply in Greek to the university of Cambridge, who had addressed her in that language. It is certain, that she answered in Latin without premeditation, and in a very spirited manner, to the Polish ambassador, who had been wanting in respect to her. When she had finished, she turned about to her courtiers, and said, "God's death, my lords," (for she was much addicted to swearing,) "I have been forced this day to scour up my old Latin that hath long lain

rusting."¹⁰⁸ Elizabeth, even after she was queen, did not entirely drop the ambition of appearing as an author; and, next to her desire of ambition for beauty, this seems to have been the chief object of her vanity. She translated Boethius of the Consolation of Philosophy; in order, as she pretended, to allay her grief for Henry IV.'s change of religion. As far as we can judge from Elizabeth's compositions, we may pronounce, that, notwithstanding her application and her excellent parts, her taste in literature was but indifferent: she was much inferior to her successor in this particular, who was himself no perfect model of eloquence.

Unhappily for literature, at least for the learned of this age, the queen's vanity lay more in shining by her own learning, than in encouraging men of genius by her liberality. Spenser himself, the finest English writer of his age, was long neglected; and after the death of sir Philip Sidney, his patron, was allowed to die almost for want. This poet contains great beauties, a sweet and harmonious versification, easy elocution, a fine imagination: yet does the perusal of his work become so tedious, that one never finishes it from the mere pleasure which it affords: it soon becomes a kind of task reading; and it requires some effort and resolution to carry us on to the end of his long performance. This effect, of which every one is conscious, is usually ascribed to the change of manners: but manners have more changed since Homer's age; and yet that poet remains still the favourite of every reader of taste and judgment. Homer copied true natural manners, which, however rough or uncultivated, will always form an agreeable and interesting picture: but the pencil of the English poet was employed in drawing the affectations, and conceits, and fopperies of chivalry, which appear ridiculous as soon as they lose the recommendation of the mode. The tediousness of continued allegory, and that too seldom striking or ingenious, has also contributed to render the *Fairy Queen* peculiarly tiresome; not to mention the two great frequency of its descriptions, and the languor of its stanza. Upon the whole, Spenser maintains his place upon the shelves among our English classics: but he is seldom seen on the table; and there is scarcely any one, if he dares to be ingenuous, but will confess, that, notwithstanding all the merit of the poet, he affords an entertainment with which the palate is soon satiated. Several writers of late have amused themselves in copying the style of Spenser; and no imitation has been so indifferent as not to bear a great resemblance to the original: his manner is so peculiar, that it is almost impossible not to transfer some of it into the copy.

NOTES.

- that which prevailed before the settlement of our present plan of liberty. There, though the people had perhaps less liberty than under the Tudors, yet the king had also less authority: the power of the barons was a great check upon him, and exercised with great tyranny over them. But there was still in the nature the rigour of the charter, when neither the people nor the barons had any regular privileges, and the power of the government, during the reign of an able prince, was almost wholly in the hands of the nobles.
- In a memorial of the state of the realm, drawn by secretary Cecil, in 1569, there is this passage: "Then followeth the business in civil policy, which being compared with the trials of any wise and considerate prince, he holdeth the desperation of reformation." *Hornes*, p. 286. Again, p. 288.
- 1 *Neal*, vol. i. p. 479.
- 2 *Murden*, p. 183.
- 3 *Vol iv.* p. 510.
- 4 *M.S. of Lord Royston's, from the Paper Office.*
- 5 *Eccles. Mem.* vol. i. p. 373.
- 6 *Candau*, p. 446. *Styripe*, vol. ii. p. 258.
- 7 *Styripe*, vol. iii. p. 570.
- 8 *Rymer*, vol. xvi. p. 279.
- 9 *Edw.* VI. cap. 20. See Sir John Davis's Question concerning Impositions, p. 9.
- 10 In 1288, the lord mayor committed several citizens to prison, because they refused to pay the loan demanded of them. *Murden*, p. 632.
- 11 *Harrison*, book ii. chap. 11.
- 12 *Haynes*, p. 196. See farther in *Boderic*, vol. i. p. 211.
- 13 To our apprehension, *Hayward's Book* hath
- For he has the privilege of the free speech of the bishop of Carlisle, which contains, in the most express terms, the power of passive obedience. But by Elizabeth's difficulty to please.
- 14 *Cahala*, p. 81.
- 15 *Page* 392.
- 16 *Murden*, p. 181.
- 17 *Bacon*, vol. iv. p. 362.
- 18 In the second of Richard II. executed, that in hours, which the king shall of his subjects.
- 19 By royal seal, such as have reasonable of not lending, any there be convicted without further summons, travel, or grief. See *Cotton's Abridg.* p. 170. By this law the king's prerogative of exacting loans, which, and what ought to be deemed as still
- 20 left in his own breast.
- 21 *Haynes*, p. 518, 519.
- 22 *D'Ewes*, p. 494.
- 23 *Bacon*, vol. iv. p. 362.
- 24 *Monson*, p. 267.
- 25 *Styripe's Memoirs*, vol. i. p. 137.
- 26 *Candau*, p. 388.
- 27 *Annals*, vol. iv. p. 234, et seq.
- 28 *Styripe*, vol. i. p. 27.
- 29 *Rymer*, tom. xv. p. 756. *D'Ewes*, p. 645.
- 30 *Murden*, p. 325.
- 31 *Townsend's Journals*, p. 250. *Stow's Annals*.
- 32 *The* *Annals*. *Styripe*, vol. ii. p. 603.
- 33 *Birch's Memoirs*, vol. ii. p. 132.
- 34 *Birch's Memoirs*, vol. ii. p. 511.
- 35 Sir John Davis's Question concerning Impositions, passim.
- 36 *D'Ewes*, p. 141.
- 37 *Rymer*, tom. xv. p. 692. 704. 777.
- 38 *Rushworth*, vol. p. *Franklyn's Annals*, p. 240, 241.
- 39 *Styripe*, vol. ii. p. 128, 129.
- 40 It was never fully established that the prisoner could legally produce evidence till after the Revolution.
- 41 *See Blackstone* vol. iv. p. 352.
- 42 *Styripe's Life of Whitgift* vol. iv. p. 21. *Styripe's Life of Whitgift*, book chap. 11. *Neal*, vol. i. p. 61.
- 43 *Styripe's Annals*, vol. iv. p. 177.
- 44 *See* *Franklyn*, p. 41. It is the year 1564, for preaching up a limited obedience to the civil magistrate. *Neal*, vol. i. p. 453.
- 45 *Plays of Shakespeare*, where the and character, and even the trial of the several reigns are so
- 46 *of Labret*, which some pretended historians have imagined to be the object of the ancient quarrels, insurrectionary
- 47 *of England*, contained in the tragedy of Richard II. and the detail of its advantages, not a word of its civil
- 48 *superior to*, that of other European kings.
- 49 *See* *other English authors* that wrote since the Restoration, at least since the Revolution.
- 50 *Annals*, vol. iv. p. 290.
- 51 *D'Ewes*, p. 234.
- 52 *D'Ewes*, p. 661—664.
- 53 *Birch's Negot.* p. 21.
- 54 *Styripe*, vol. iv. p. 351.
- 55 *See* *letter of the queen's*, a kind of of this, and preserve the words: "Proud prelate, I understand you are backward in complying with your agreement, but I would have you know, that I who made you what you are, do
- 56 *forthwith fulfil your engagement*, by God, I will immediately unblock you. Yours, as you demand yourself, Elizabeth." The bishop, it seems, had proposed
- 57 *hand bet*, equivalent, and did so, but it was in consequence of the above letter. *Annals* Register, 1761, p. 15.
- 58 *Rymer*, tom. xvi. p. 141. *D'Ewes*, p. 151. 457. 525. 629. *Bacon*, vol. iv. p. 363.
- 59 *D'Ewes*, p. 475. I think it impossible to reconcile this account of the public debts with that given by *Styripe*, *Eccles. Mem.* vol. ii. p. 314, that in the year 1553, the crown owed but 300,000 pounds. I own that this last sum appears great and more likely. The whole revenue of great Elizabeth would not in ten years have paid four millions.
- 60 *Winwood*, vol. i. p. 293. 51.
- 61 *Winwood*, vol. i. p. 117. 325.
- 62 *D'Ewes*, p. 493.
- 63 *Candau*, p. 167.
- 64 *Appendix to the end of Ew's apology.*
- 65 *Birch's Memoirs*, vol. i.
- 66 *Norton's Regalia*, comp. 1. *Franklyn's Annals*, that the profit of the kingdom, besides wards and the duchy of Lancaster (which amounted to about 120,000 pounds), was 188,197 pounds. If crown lands seem to be comprehended in this computation
- 67 subsequent reign. *Journals of the* chap. 46.
- 68 *Neal*, vol. i. p. 479.
- 69 *Neal*, vol. i. p. 479.
- 70 *Neal*, vol. i. p. 479.
- 71 *Neal*, vol. i. p. 479.
- 72 *Neal*, vol. i. p. 479.
- 73 *Neal*, vol. i. p. 479.
- 74 *Neal*, vol. i. p. 479.
- 75 *Neal*, vol. i. p. 479.
- 76 *Neal*, vol. i. p. 479.
- 77 *Neal*, vol. i. p. 479.
- 78 *Neal*, vol. i. p. 479.
- 79 *Neal*, vol. i. p. 479.
- 80 *Neal*, vol. i. p. 479.
- 81 *Neal*, vol. i. p. 479.
- 82 *Neal*, vol. i. p. 479.
- 83 *Neal*, vol. i. p. 479.
- 84 *Neal*, vol. i. p. 479.
- 85 *Neal*, vol. i. p. 479.
- 86 *Neal*, vol. i. p. 479.
- 87 *Neal*, vol. i. p. 479.
- 88 *Neal*, vol. i. p. 479.
- 89 *Neal*, vol. i. p. 479.
- 90 *Neal*, vol. i. p. 479.
- 91 *Neal*, vol. i. p. 479.
- 92 *Neal*, vol. i. p. 479.
- 93 *Neal*, vol. i. p. 479.
- 94 *Neal*, vol. i. p. 479.
- 95 *Neal*, vol. i. p. 479.
- 96 *Neal*, vol. i. p. 479.
- 97 *Neal*, vol. i. p. 479.
- 98 *Neal*, vol. i. p. 479.
- 99 *Neal*, vol. i. p. 479.
- 100 *Neal*, vol. i. p. 479.

- 84 D'Ewes, p. 505.
 85 D'Ewes, p. 497.
 86 Haynes, p. 461, 462.
 87 Stowe, p. 668.
 88 History of the World, vol. ii. p. 222.
 89 Anderson, vol. i. p. 421.
 90 Anderson, vol. i. p. 421.
 91 A compendious or brief Examination of

The author
 this 120 or 10 years, 1581,
 es had in general men 50

member, says he, the
 years, I could in this town buy
 the be-jag or goose I could lay my
 hands for four pence, which now
 with twelve pence and
 three pence or four pence, a chicken for
 a penny, when for two pence. p. 11
 Yet the price of ordinary labour was
 then eight pence a day, p. 31.
 Lives of the Admirals, vol. i. p. 173

- 85 Digges's Complete Ambassador
 94 Strype, vol. iii. Appendix, p. 51
 95 Harrison, after enumerating the queen's
 palaces, adds: "But what shall I need
 to take upon me to repent all, and tell
 what honours the queen's majesty hath?
 With all is hers; and when it pleaseth
 her

herself abroad, and view the estate of
 the country, and hear the complaints
 of her poor commons injured by her un-

with during pleasure
 again to some of her

eth." Book ii. chap. 15. Surely our
 way of such a guest what Cicero said

by Caesar Hospes tuum non

revertitur Lib. xiii. ep. 77. He should
 the people from oppressions to whom it

seems the law could give no relief, her
 visits were a great oppression on the
 nobility.

- 96 Biogr. Brit. vol. iii. p. 1791.
 97 Strype, vol. iii. p. 394.
 98 Stowe, p. 674.
 99 Strype, vol. iii. p. 129. Appendix.
 100 Life of Burleigh, published by Collins,
 101 Life of Burleigh, published by Collins,
 p. 40.
 102 This appears from Burleigh's will. He
 specifies only the number of ounces to
 be given to each legatee, and appoints
 a goldsmith to see it weighed out to
 them, without making any distinction
 of the pieces.
 103 Page 452.
 104 Camden, p. 452.
 105 Carte, vol. iii. p. 702, from Beau-
 mont's Dispatches.
 106 27 Hen. VIII. c. 24.
 107 Hume's, tom. xv. p. 731
 108 Spurd

THE HISTORY OF GREAT BRITAIN.

CHAPTER XLV.

J A M E S I.

Introduction.—James's first Transactions.—State of Europe.—Rosni's Negotiations.—Raleigh's Conspiracy.—Hampton-Court Conference.—A Parliament.—Peace with Spain.

1603. **T**HE crown of England was never transmitted from father to son with greater tranquillity than it passed from the family of Tudor to that of Stuart. During the whole reign of Elizabeth, the eyes of men had been employed in search of her successor; and when old age made the prospect of her death more immediate, there appeared none but the king of Scots, who could advance any just claim or pretension to the throne. He was great-grandson of Margaret, elder daughter of Henry VII.; and, on the failure of the male-line, his hereditary right remained unquestionable. If the religion of Mary queen of Scots, and the other prejudices contracted against her, had formed any considerable obstacle to her succession; these objections, being entirely personal, had no place with regard to her son. Men also considered, that though the title, derived from blood, had been frequently violated since the Norman conquest, such licences had proceeded more from force or intrigue, than from any deliberate maxims of government. The lineal heir had still in the end prevailed; and both his exclusion and restoration had been commonly attended with such convulsions as were sufficient to warn all prudent men not lightly to give way to such irregularities. If the will of Henry VIII. authorised by act of parliament, had tacitly excluded the Scottish line, the tyranny and caprices of that monarch had been so signal, that a settlement of this nature, unsupported by any just reason, had no authority with the people. Queen Elizabeth too, with her dying breath, had recognized the undoubted title of her kinsman James; and the whole nation seemed to dispose themselves with joy and pleasure for his reception. Though born and educated amidst a foreign and hostile people, men hoped, from his character of moderation and wisdom, that he would embrace the maxims of an English monarch; and the prudent foresaw greater

advantages resulting from a union with Scotland, than disadvantages from submitting to a prince of that nation. The alacrity with which the English looked toward the successor had appeared so evident to Elizabeth, that, concurring with other causes, it affected her with the deepest melancholy; and that wise princess, whose penetration and experience had given her the greatest insight into human affairs, had not yet sufficiently weighed the ingratitude of courtiers and levity of the people.

FIRST TRANSACTIONS OF THIS REIGN.

As victory abroad, and tranquillity at home, had attended this princess, she left the nation in such flourishing circumstances, that her successor possessed every advantage, except that of comparison with her illustrious name, when he mounted the throne of England. The king's journey from Edinburgh to London immediately afforded to the inquisitive some circumstances of comparison, which even the natural partiality in favour of their new sovereign could not interpret to his advantage. As he passed along, all ranks of men flocked about him from every quarter, allured by interest or curiosity. Great were the rejoicings, and loud and hearty the acclamations which resounded from all sides; and every one could remember how the affability and popular manners of their queen displayed themselves amidst such concourse and exultation of her subjects. But James, though sociable and familiar with his friends and courtiers, hated the bustle of a mixed multitude; and though far from disliking flattery, yet was he still fonder of tranquillity and ease. He issued therefore a proclamation, forbidding this resort of people, on pretence of the scarcity of provisions, and other inconveniencies, which, he said, would necessarily attend it.¹

He was not, however, insensible to the great flow of affection which appeared in his new

subjects; and being himself of an affectionate temper, he seems to have been in haste to make them some return of kindness and good offices. To this motive, probably, we are to ascribe that profusion of titles which was observed in the beginning of his reign; when, in six weeks' time after his entrance into the kingdom, he is computed to have bestowed knighthood on no less than two hundred and thirty-seven persons. If Elizabeth's frugality of honours, as well as of money, had formerly been repined at, it began now to be valued and esteemed; and every one was sensible that the king, by his lavish and premature conferring of favours, had failed of obliging the persons on whom he bestowed them. Titles of all kinds became so common, that they were scarcely marks of distinction; and being distributed, without choice or deliberation, to persons unknown to the prince, were regarded more as the proofs of fault and good-nature, than of determining friendship or esteem.

A pasquinade was affixed to St Paul's, in which an art was promised to be taught, very necessary to assist frail memories in retaining the names of the new nobility.²

We may presume, that the English would have thrown less blame on the king's facility in bestowing favours, had these been confined entirely to their own nation, and had not been shared out, in too unequal proportions, to his old subjects. James, who, through his whole reign, was more guided by temper and inclination than by the rules of political prudence, had brought with him great numbers of his Scottish courtiers; whose impatience and importunity were apt, in many particulars, to impose on the easy nature of their master, and extort favours, of which it is natural to imagine, his English subjects would loudly complain. The duke of Lenox, the earl of Mar, lord Hume, lord Kinloss, sir George Hume, secretary Elphinstone,³ were immediately added to the English privy council. Sir George Hume, whom he created earl of Dunbar, was his declared favourite as long as that nobleman lived, and was one of the wisest and most virtuous, though the least powerful, of all those whom the king ever honoured with that distinction. Hay, some time after, was created viscount Doncaster, then earl of Carlisle, and got an immense fortune from the crown; all which he spent in a splendid and courtly manner. Ramsay obtained the title of earl of Haddington; and many others, being raised on a sudden to the highest elevation, increased, by their insolence, that envy which naturally attended them, as strangers and ancient enemies.

It must however be owned, in justice to James, that he left almost all the chief offices in the hands of Elizabeth's ministers, and

trusted the conduct of political concerns, both foreign and domestic, to his English subjects. Among these, secretary Cecil, created successively lord Ellindon, viscount Cranborne, and earl of Salisbury, was always regarded as his prime minister and chief counsellor. Though the capacity and penetration of this minister were sufficiently known, his favour with the king created surprise on the accession of that monarch. The secret correspondence into which he had entered with James, and which had sensibly contributed to the easy reception of that prince in England, laid the foundation of Cecil's credit; and while all his former associates, sir Walter Raleigh, lord Grey, lord Cobham, were discontinued on account of their animosity against Essex, as well as for other reasons, this minister was continued in employment, and treated with the greatest confidence and regard.

The capacity of James and his ministers in negotiation was immediately put to trial, on the appearance of ambassadors from almost all the princes and states of Europe, in order to congratulate him on his accession, and to form with him new treaties and alliances. Besides ministers from Venice, Denmark, the Palatinate, Henry Frederic of Nassau, assisted by Bornevelt the pensionary of Holland, was ambassador from the states of the United Provinces. Arrenberg was sent by archduke Albert; and Taxis was expected in a little time from Spain. But he who most excited the attention of the public, both on account of his own merit and that of his master, was the marquis of Rosni, afterwards duke ofully, prime minister and favourite of Henry IV. of France. (28th June.)

STATE OF EUROPE. ROSNI'S NEGOTIATIONS.

When the dominions of the house of Austria devolved on Philip II. all Europe was struck with terror lest the power of a family, which had been raised by fortune, should now be carried to an immeasurable height by the wisdom and conduct of this monarch. But never were apprehensions found in the event to be more groundless. Slow without prudence, ambitious without enterprise, false without deceiving any body, and refined without any true judgment; such was the character of Philip, and such the character which, during his lifetime, and after his death, he impressed on the Spanish councils. Revolted or depopulated provinces, discontented or indolent inhabitants, were the spectacles which those dominions lying in every climate of the globe, presented to Philip III. a weak prince, and to the duke of Lerma, a minister weak and odious. But though military discipline, which still remained, was what alone gave some

appearance of life and vigour to that languishing body, yet so great was the terror produced by former power and ambition, that the reduction of the house of Austria was the object of men's vows throughout all the states of Christendom. It was not perceived, that the French empire, now united in domestic peace, and governed by the most heroic and most amiable prince that adorns modern story, was become, of itself, a sufficient counterpoise to the Spanish greatness. Perhaps, that prince himself did not perceive it, when he proposed, by his minister, a league with James, in conjunction with Venice, the United Provinces, and the northern crowns; in order to attack the Austrian dominions on every side, and depress the exorbitant power of that ambitious family.⁴ But the genius of the English monarch was not equal to such vast enterprises. The love of peace was his ruling passion; and it was his peculiar felicity, that the conjunctures of the times rendered the same object which was agreeable to him in the highest degree advantageous to his people.

The French ambassador, therefore, was obliged to depart from these extensive views, and to concert with James the means of providing for the safety of the United Provinces: nor was this object altogether without its difficulties. The king, before his accession, had entertained scruples with regard to the revolt of the Low Countries; and being commonly open and sincere,⁵ he had, on many occasions, gone so far as to give to the Dutch the appellation of rebels;⁶ but having conversed more fully with English ministers and courtiers, he found their attachment to that republic so strong, and their opinion of common interest so established, that he was obliged to sacrifice to politics his sense of justice; a quality which, even when erroneous, is respectable as well as rare in a monarch. He therefore agreed with Rosni to support secretly the states-general, in concert with the king of France; lest their weakness and despair should oblige them to submit to their old master. The articles of the treaty were few and simple. It was stipulated, that the two kings should allow the Dutch to levy forces in their respective dominions; and should underhand remit to that republic the sum of one million four hundred thousand livres a year for the pay of these forces: that the whole sum should be advanced by the king of France; but that the third of it should be deducted from the debt due by him to queen Elizabeth. And if the Spaniard attacked either of the princes, they agreed to assist each other; Henry with a force of ten thousand men, James with that of six. This treaty, one of the wisest and most equitable concluded by James during the course of his reign, was more the work of the prince himself, than any of his ministers.⁷

RALEIGH'S CONSPIRACY.

AMIDST the great tranquillity, both foreign and domestic, with which the nation was blest, nothing could be more surprising than the discovery of a conspiracy to subvert the government, and to fix on the throne Arabella Stuart, a near relation of the king's by the family of Lenox, and descended equally from Henry VII. Every thing remains still mysterious in this conspiracy, and history can give us no clue to unravel it. Watson and Clarke, two catholic priests, were accused of the plot: lord Grey, a puritan: lord Cobham, a thoughtless man, of no fixed principle: and sir Walter Raleigh, suspected to be of that philosophical sect, who were then extremely rare in England, and who have since received the appellation of *free-thinkers*: together with these Mr. Broke, brother to lord Cobham, sir Griffin Markham, Mr. Copeley, sir Edward Parham. What cement could unite men of such discordant principles in so dangerous a combination; what end they proposed, or what means proportioned to an undertaking of this nature, has never yet been explained, and cannot easily be imagined. As Raleigh, Grey, and Cobham were commonly believed, after the queen's death, to have opposed proclaiming the king, till conditions should be made with him; they were upon that account extremely obnoxious to the court and ministry; and people were apt, at first, to suspect, that the plot was merely a contrivance of secretary Cecil, to get rid of his old confederates, now become his most inveterate enemies. But the confession, as well as trial of the criminals, put the matter beyond doubt.⁸ And though no one could find any marks of a concerted enterprise, it appeared that men of furious and ambitious spirits, meeting frequently together, and believing all the world discontented like themselves, had entertained very criminal projects, and had even entered, some of them at least, into a correspondence with Aremberg, the Flemish ambassador, in order to give disturbance to the new settlement.

The two priests⁹ and Broke¹⁰ were executed: Cobham, Grey, and Markham were pardoned,¹¹ after they had laid their heads upon the block.¹² Raleigh too was reprieved, not pardoned; and he remained in confinement many years afterwards.

It appears from Sully's Memoirs, that Raleigh secretly offered his services to the French ambassador; and we may thence presume, that meeting with a repulse from that quarter, he had recourse, for the same unwarrantable purposes, to the Flemish minister. Such a conjecture we are now enabled to form but it must be confessed, that, on his trial, there appeared no proof of this transaction, nor indeed any circumstance which could

justify his condemnation. He was accused by Cobham alone, in a sudden fit of passion, upon hearing that Raleigh, when examined, had pointed out some circumstances, by which Cobham's guilt might be known and ascertained. This accusation Cobham afterwards retracted; and soon after he retracted his retraction. Yet upon the written evidence of this single witness, a man of no honour or understanding, and so contradictory in his testimony; not confronted with Raleigh; not supported by any concurring circumstance; was that great man, contrary to all law and equity, found guilty by the jury. His name was at that time extremely odious in England; and every man was pleased to give sentence against the capital enemy of Essex, the favourite of the people.

Sir Edward Coke, the famous lawyer, then attorney-general, managed the cause for the crown, and threw out on Raleigh such gross abuse, as may be deemed a great reflection, not only on his own memory, but even, in some degree, on the manners of the age. Traitor, monster, viper, and spider of hell, are the terms which he employs against one of the most illustrious men of the kingdom, who was under trial for life and fortune, and who defended himself with temper, eloquence, and courage.¹¹

CONFERENCE AT HAMPTON COURT.

1601.

The next occupation of the king was entirely according to his heart's content. He was employed in dictating magisterially to an assembly of divines concerning points of faith and discipline, and in receiving the applauses of these holy men for his superior zeal and learning. The religious disputes between the church and the puritans had induced him to call a conference at Hampton-Court, on pretence of finding expedients which might reconcile both parties.

Though the severities of Elizabeth towards the catholics had much weakened that party, whose genius was opposite to the prevailing spirit of the nation; like severities had had so little influence on the puritans, who were encouraged by that spirit, that no less than seven hundred and fifty clergymen of that party signed a petition to the king on his accession; and many more seemed willing to adhere to it.¹² They all hoped, that James, having received his education in Scotland, and having sometimes professed an attachment to the church established there, would at least abate the rigour of the laws enacted in support of the ceremonies, and against puritans, if he did not show more particular grace and encouragement to that sect. But the king's disposition had taken strongly a contrary bias.

The more he knew the puritanaical clergy, the less favour he bore to them. He had remarked in their Scottish brethren a violent turn towards republicanism, and a zealous attachment to civil liberty; principles nearly allied to that religious enthusiasm with which they were actuated. He had found, that being mostly persons of low birth and mean education, the same lofty pretensions which attended them in their familiar addresses to their Maker, of whom they believed themselves the peculiar favourites, induced them to use the utmost freedoms with their earthly sovereign. In both capacities, of monarch and of theologian, he had experienced the little complaisance which they were disposed to show him; whilst they controlled his commands, disputed his tenets, and to his face, before the whole people, censured his conduct and behaviour. If he had submitted to the indignity of court- ing their favour, he treasured up, on that account, the stronger resentment against them, and was determined to make them feel, in their turn, the weight of his authority. Though he had often met with resistance and faction and obstinacy in the Scottish nobility, he retained no ill will to that order; or rather showed them favour and kindness in England, beyond what reason and sound policy could well justify: but the ascendancy which the presbyterian clergy had assumed over him was what his monarchial pride could never thoroughly digest.¹³

He dreaded likewise the popularity which attended this order of men in both kingdoms. As useless austerities and self-denial are imagined, in many religions, to render us acceptable to a benevolent Being, who created us solely for happiness, James remarked that the rustic severity of these clergymen, and of their whole sect, had given them, in the eyes of the multitude, the appearance of sanctity and virtue. Strongly inclined himself to mirth and wine and sports of all kinds, he apprehended their censure for his manner of life, free and disengaged: and, being thus averse, from temper, as well as policy, to the sect of puritans, he was resolved, if possible, to prevent its farther growth in England.

But it was the character of James's councils, throughout his whole reign, that they were more wise and equitable in their end, than prudent and political in the means. Though justly sensible that no part of civil administration required greater care or a nicer judgment than the conduct of religious parties; he had not perceived, that, in the same proportion as this practical knowledge of theology is requisite, the speculative refinements in it are mean and even dangerous in a monarch. By entering zealously into frivolous disputes, James gave them an air of importance and dignity which they could not otherwise have

acquired; and being himself enlisted in the quarrel, he could no longer have recourse to contempt and ridicule, the only proper method of appeasing it. The church of England had not yet abandoned the rigid doctrines of grace and predestination; the puritans had not yet separated themselves from the church, nor openly renounced episcopacy. Though the spirit of the parties was considerably different, the only appearing subjects of dispute were concerning the cross in baptism, the ring in marriage, the use of the surplice, and the bowing at the name of Jesus. These were the mighty questions which were solemnly agitated in the conference at Hampton-Court between some bishops and dignified clergymen on the one hand, and some leaders of the puritanical party on the other; the king and his ministers being present.¹⁶

The puritans were here so unreasonable as to complain of a partial and unfair management of the dispute¹ (4th Jan.); as if the search after truth were in any degree the object of such conferences, and a candid indifference, so rare even among private inquirers in philosophical questions, could ever be expected among princes, and prelates, in a *theological* controversy. The king, it must be confessed, from the beginning of the conference, showed the strongest propensity to the established church, and frequently menacated a maxim, which, though it has some foundation, is to be received with great limitations, *No Bishop, No King*. The bishops, in their turn, were very liberal of their praises towards the royal disputant; and the archbishop of Canterbury said, that *undoubtedly his majesty spoke by the special assistance of God's spirit*.¹⁷ A few alterations in the liturgy were agreed to, and both parties separated with mutual dissatisfaction.

It had frequently been the practice of the puritans to form certain assemblies, which they called *prophesyings*, where alternately, as moved by the spirit, they displayed their zeal and prayers and exhortations, and raised their own enthusiasm, as well as that of their audience, to the highest pitch, from that social contagion which has so mighty an influence on holy fervours, and from the mutual emulation which arose in those trials of religious eloquence. Such dangerous societies had been suppressed by Elizabeth; and the ministers in this conference moved the king for their revival. But James sharply replied, *If you aim at a Scottish presbytery, it agrees as well with monarchy as God and the devil. There Jack and Tom and Will and Dick shall meet and censure me and my council. Therefore I repeat my former speech; Le Roi s'aviseira. Stay, I pray, for one seven years before you demand; and then if you find we grow perverse and fit, I may perchance hearken unto you.*

For that government will keep me in breath, and give me work enough.¹⁸ Such were the political considerations which determined the king in his choice among religious parties.

A PARLIAMENT. March 19.

THE next assembly in which James displayed his learning and eloquence, was one that showed more spirit of liberty than appeared among his bishops and theologians. The parliament was now ready to assemble; being so long delayed on account of the plague, which had broken out in London, and raged to such a degree that above 30,000 persons are computed to have died of it in a year; though the city contained at that time little more than 150,000 inhabitants.

The speech which the king made on opening the parliament fully displays his character, and proves him to have possessed more knowledge and better parts than pride nor any just sense of decorum and propriety.¹⁹ Though few productions of the age surpass this performance either in style or matter; it wants that majestic brevity and reserve which becomes a king in his addresses to the great council of the nation. It contains, however, a remarkable stroke of candour, where he confesses his too great facility in yielding to the solicitations of suitors.²⁰ A fault which he promises to correct, but which adhered to him, and distressed him, during the whole course of his reign.

The first business, in which the commons were engaged, was of the utmost importance to the preservation of their privileges; and neither temper nor resolution were wanting in the conduct of it.

In former periods of the English government, the house of commons was of so small weight in the balance of the constitution, that little attention had been given, either by the crown, the people, or the house itself, to the choice and continuance of the members. It had been usual, after parliaments were prolonged beyond one session, for the chancellor to exert a discretionary authority of issuing new writs to supply the place of any members whom he judged incapable of attending, either on account of their employment, their sickness, or other impediment. This practice gave that minister, and consequently the prince, an unlimited power of modelling at pleasure the representatives of the nation, yet so little jealousy had it created, that the commons, of themselves, without any court influence or intrigue, and contrary to some former votes of their own, confirmed it in the twenty third of Elizabeth.²¹ At that time, though some members, whose places had been supplied on account of sickness, having now recovered their health, appeared

in the house, and claimed their seat; such was the authority of the chancellor, that merely out of respect to him, his sentence was adhered to, and the new members continued in their places. Here a most dangerous prerogative was conferred on the crown: but to show the genius of that age, or rather the channels in which power then ran, the crown put very little value on this authority; inasmuch that two days afterwards the chancellor, of himself, resigned it back to the commons, and gave them power to judge of a particular vacancy in their house. And when the question concerning the chancellor's new writs was again brought on the carpet towards the end of the session, the commons were so little alarmed at the precedent, that, though they re-admitted some old members, whose seats had been vacated on account of slight indispositions, yet they confirmed the chancellor's sentence, in instances where the distemper appeared to have been dangerous and incurable.²¹ Nor did they proceed any further in

violation of their privileges than to vote, *that during the sitting of parliament, there do at any time, any writs: not for choosing or returning any member without the warrant of the house.* In Elizabeth's reign we may remark, and the reigns preceding, sessions of parliament were not usually the twelfth part long as the vacations; and during the latter, the chancellor's power, if he pleased least left, by them, as unlimited and unrestrained as ever.

In a subsequent parliament, the absolute authority of the queen was exerted in a manner still more open; and began for the first time to give alarm to the commons. New writs having been issued by the chancellor when there was no vacancy, and a controversy arising upon that incident, the queen sent a message to the house, informing them, that it was impertinent for them to deal in such matters. These questions, she said, belonged only to the chancellor; and she had appointed him to confer with the judges, in order to settle all disputes with regard to elections. The commons had the courage, a few days after, to vote, "That it was a most perilous precedent, where two knights of a county were elected, if any new writ should issue out for a second election, without order of the house itself; that the discussing and adjudging of this and such like differences belonged only to the house; and that there should be no message sent to the lord chancellor, not so much as to inquire what he had done in the matter, because it was conceived to be a matter derogatory to the power and privilege of the house."²² This is the most considerable and almost only, instance of parliamentary liberty, which occurs during the reign of that

Outlaws, whether on account of debts or crimes, had been declared by the judges²¹ incapable of enjoying a seat in the house, where they must themselves be lawgivers; but this opinion of the judges had been frequently overruled. I find, however, in the case of Vaughan,²⁵ who was questioned for an outlawry, that, having proved all his debts to have been contracted by suretiship, and to have been, most of them, honestly compounded, he was allowed, on account of these favourable circumstances, to keep his seat: which plainly supposes that, otherwise, it would have been vacated, on account of the outlawry.²⁶

When James summoned this parliament, he issued a proclamation;²⁷ in which among many general advices, which, like a kind tutor, he bestowed on his people, he strictly enjoins them not to choose any outlaw for their representative. And he adds; *If any person take upon him the place of knight, citizen, or burgess, not being duly elected, according to the laws and statutes in that behalf provided, and according to the purport, effect, and true meaning of this our proclamation, then every person so offending to be fined or imprisoned for the same.* A proclamation here was plainly put on the same footing with a law, and that marked a point as the right of elections—most alarming circumstances, had there not been reason to believe that this measure, being entered into so early in the king's reign, proceeded more from precipitation and mistake, than from any serious design of invading the privilege of parliament.²⁸

Sir Francis Goodwyn was chosen member for the county of Bucks; and his return, as usual, was made into chancery. The chancellor, pronouncing him an outlaw, vacated his seat, and issued writs for a new election.²⁹ Sir John Fortescue was chosen in his place by the county. But the first act of the house was to reverse the chancellor's sentence, and restore sir Francis to his seat. At the king's suggestion, the lord's desired a conference on the subject; but were absolutely refused by the commons, as the question entirely regarded their own privileges.³⁰ The commons, however, agreed to make a remonstrance to the king by the mouth of their speaker; in which they maintained, that though the returns were by form made into chancery, yet the sole right of judging with regard to elections belonged to the house itself, not to the chancellor.³¹ James was not satisfied, and ordered a conference between the house and the judges, whose opinion in this case was opposite to that of the commons. This conference, he said, he commanded as an absolute king; [See note BB, at the end of this Vol.] an epithet, we are apt to imagine, not very grateful to English ears, but one to which they had already been somewhat accustomed from the mouth of

Elizabeth.³² He added, *That all their privileges were derived from his grant, and hoped they would not turn them against him.*³³ a sentiment which, from her conduct, it is certain that princess had also entertained, and which was the reigning principle of her courtiers and ministers, and the spring of all her administration.

The commons were in some perplexity. Their eyes were now opened, and they saw the consequences of that power which had been assumed by the chancellor, and to which their predecessors had, in some instances, blindly submitted. *By this course, said a member, the free election of the counties is taken away, and none shall be chosen but such as shall please the king and council. Let us, therefore, with fortitude, understanding, and sincerity, seek to maintain our privilege. This cannot be construed any contempt in us, but merely a maintenance of our common rights, which our ancestors have left us, and which it is just and fit for us to transmit to our posterity.*³⁴ Another said,³⁵ *This may be called a quo warranto to seize all our liberties. A chancellor, added a third, by this course, may call a parliament consisting of what persons he pleases. Any suggestion, by any person, may be the cause of sending a new writ. It is come to this plain question, Whether the chancery or parliament ought to have authority?*³⁶

Notwithstanding this watchful spirit of liberty, which now appeared in the commons, their deference for majesty was so great, that they appointed a committee to confer with the judges before the king and council. There the question of law began to appear, in James's eyes, a little more doubtful than he had hitherto imagined it; and in order to extricate himself with some honour, he proposed that both Goodwin and Fortescue should be set aside, and a writ be issued by warrant of the house, for a new election. Goodwin gave his consent, and the commons embraced the expedient; but in such a manner, that while they showed their regard for the king, they secured for the future the free possession of their seats, and the right which they claimed of judging solely in their own elections and returns. [See note CC, at the end of this Vol.]

A power like this, so essential to the exercise of all their other powers, themselves so essential to public liberty, cannot fairly be deemed an encroachment in the commons; but must be regarded as an inherent privilege, happily rescued from that ambiguity which the negligence of some former parliaments had thrown upon it.

At the same time the commons, in the case of sir Thomas Shirley, established their power of punishing as well the persons at whose suit any member is arrested, as the officers who either arrest or detain him. Their asserting

of this privilege admits of the same reflection.³⁷

About this period the minds of men throughout Europe, especially in England, seem to have undergone a general, but insensible revolution. Though letters had been revived in the preceding age, they were chiefly cultivated by those of sedentary professions; nor had they, till now, begun to spread themselves, in any degree, among men of the world. Arts, both mechanical and liberal, were every day receiving great improvements. Navigation had extended itself over the whole globe. Travelling was secure and agreeable. And the general system of politics in Europe was become more enlarged and comprehensive.

In consequence of this universal fermentation, the ideas of men enlarged themselves on all sides; and the several constituent parts of the Gothic governments, which seem to have lain long inactive, began, every where, to operate and encroach on each other. On the continent, where the necessity of discipline had been strengthening arms, the princes commonly established an unlimited authority, and overpowered, by force or intrigue, the liberties of the people. In England, the love of freedom, which, unless checked, flourishes extremely in all liberal natures, acquired new force, and was regulated by more enlarged views, suitable to that cultivated understanding which became, every day, more common among men of birth and education. A familiar acquaintance with the precious remains of antiquity excited, in every generous breast, a passion for a limited constitution, and begat an emulation of those manly virtues, which the Greek and Roman authors, by such animating examples, as well as pathetic expressions, recommend to us. The severe, though popular government of Elizabeth had confined this rising spirit within very narrow bounds: but when a new and a foreign family succeeded to the throne, and a prince less dreaded and less beloved, symptoms immediately appeared of a more free and independent genius in the nation.

Happily this prince possessed neither sufficient capacity to perceive the alteration, nor sufficient art and vigour to check it in its early advances. Jealous of regal, because conscious of little personal authority, he had established within his own mind a speculative system of absolute government, which few of his subjects, he believed, and none but traitors and rebels, would make any scruple to admit. On whichever side he cast his eye, every thing concurred to encourage his prejudices. When he compared himself with the other hereditary sovereigns of Europe, he imagined, that as he bore the same rank, he was entitled to equal prerogatives; not considering the innovations lately introduced by them, and the military

orce by which their authority was supported in England, that power, almost unlimited, which had been exercised for above a century, specially during the late reign, he ascribed only to royal birth and title; not to the valour and spirit of the monarchs, nor to the conjunctures of the times. Even the opposition which he had struggled with in Scotland encouraged him still farther in his favourite notions; while he there saw, that the same

which opposed regal authority, violated all law and order, and made way either for the ravages of a barbarous nobility, or for the more intolerable insolence of seditious preachers. In his person, therefore, he thought all legal power to be centered, by an hereditary and a divine right—and this opinion might have proved dangerous, if not fatal, to liberty, had not the firmness of the persuasion, and its seeming evidence, induced him to trust solely to his right, without making the smallest provision, either of a

such were the opposite dispositions of parliament and Prince, at the commencement of the Scottish line; dispositions just beginning to exist and to appear in the parliament. See note DD, at the end of this Vol. but thoroughly established and openly avowed on the part of the prince.

The spirit and judgment of the house of commons appeared, not only in defence of their own privileges, but also in their endeavour, though at this time, in vain, to free trade from the shackles which the high asserted prerogative, and even, in this respect, the ill-judged tyranny of Elizabeth had imposed upon it.

James had already, of his own accord, called in and annulled all the numerous patents for monopolies which had been granted by his predecessor, and which extremely fettered every species of domestic industry: but the exclusive companies still remained; another species of monopoly, by which almost all foreign trade, except that to France, was brought into the hands of a few rapacious engrossers, and all prospect of future improvement in commerce was for ever sacrificed to a little temporary advantage of the sovereign. These companies, though arbitrarily elected, had carried their privileges so far, that almost all the commerce of England was centered in London; and it appears that the customs of that port amounted to 110,000*l.* a year, while those of all the kingdom beside yielded only seventeen thousand.³⁸ Nay, the whole trade of London was confined to about two hundred citizens,³⁹ who were easily enabled, by combining among themselves, to fix whatever price they pleased both to the exports and imports of the nation. The committee appointed to examine this enormous grievance, one of the greatest which

we read of in English story, insist on it as a fact well known and avowed, however contrary to present received opinion, that shipping and seamen had sensibly decayed during all the preceding reign.⁴⁰ And though nothing be more common than complaints of the decay of trade even during the most flourishing periods; yet is this a consequence which might naturally result from such arbitrary establishments, at a time when the commerce of all the other nations of Europe, except that of Scotland, enjoyed full liberty and indulgence.

While the commons were thus attempting to give liberty to the trading part of the nation, they also endeavoured to free the landed property from the burthen of wardships,⁴¹ and to remove the of the feudal tenures under which the nation still laboured. A just regard was shown to the conduct of this affair; nor was the sought for, considered as a matter of right, but merely of grace and favour. The profit which the king reaped, both from wards and from respite of homage, was estimated; and it was intended to compound for these prerogatives by a secure and independent revenue. But after some debates in the house, and some conferences with the lords, the affair was found to contain more difficulties than could easily at that time, be surmounted; and it was not then brought to any conclusion.

The same fate attended an attempt of a like nature, to free the nation from the burthen of purveyance. This prerogative had been much abused by the purveyors;⁴² and the commons showed intention to offer the king fifty thousand pounds a year for the abolition of it.

Another affair of the utmost consequence was brought before the parliament, where the commons showed a greater spirit of independence than any true judgment of national interest. The union of the two kingdoms was zealously, and even impatiently urged by the king.⁴³ He justly regarded it as the peculiar felicity of his reign, that he had terminated the bloody animosities of these hostile nations, and had reduced the whole island under one government enjoying tranquillity within itself, and security from all foreign invasions. He hoped, that while his subjects of both kingdoms reflected on past disorders, besides regarding his person as infinitely precious, they would entertain the strongest desire of securing themselves against the return of like calamities, by a thorough union of laws, parliaments, and privileges. He considered not, that this very reflection operated, as yet, in a contrary manner on men's prejudices, and kept alive that mutual hatred between the nations, which had been carried to the greatest extremities, and required time to allay it

The more urgent the king appeared in promoting so useful a measure, the more backward was the English parliament in concurring with him; while they ascribed his excessive zeal, to that partiality in favour of his ancient subjects, of which they thought, that, on other occasions, they had reason to complain. Their complaisance for the king, therefore, carried them no farther than to appoint forty-four English to meet with thirty-one Scottish commissioners, in order to deliberate concerning the terms of a union; but without any power of making advances towards the establishment of it.

The same spirit of independence, and perhaps not better judgment, appeared in the house of commons when the question of supply was brought before them, by some members attached to the court. In vain was it urged, that, though the king received a supply which had been voted to Elizabeth, and which had not been collected before her death; yet he found it burthened with a debt contracted by the queen, equal to the full amount of it: that peace was not yet thoroughly concluded with Spain, and that Ireland was still expensive to him: that on his journey from Scotland, amidst such a concourse of people, and on that of the queen and royal family, he had expended considerable sums: and that as the courtiers had looked for greater liberalities from the prince on his accession, and had imposed on his generous nature; so the prince, in his turn, would expect, at the beginning, some mark of duty and attachment from his people, and some consideration of his necessities. No impression was made on the house of commons by these topics; and the majority appeared fully determined to refuse all supply. The burthen of government, at that time, lay surprisingly light upon the people: and that very reason, which to us, at this distance, may seem a motive of generosity, was the real cause why the parliament was, on all occasions, so remarkably frugal and reserved. They were not, as yet, accustomed to open their purses in so liberal a manner as their successors, in order to supply the wants of their sovereign; and the smallest demand, however requisite, appeared in their eyes unreasonable and exorbitant. The commons seem also to have been desirous of reducing the crown to still farther necessities, by their refusing a bill, sent down to them by the lords, for entailing the crown lands for ever on the king's heirs and successors.⁴⁷ The dissipation, made by Elizabeth, had probably taught James the necessity of this law, and shown them the advantage of refusing it.

In order to cover a disappointment with regard to supply, which might bear a bad construction, both at home and abroad, James sent a message to the house,⁴⁸ in which he told

them, that he desired no supply; and he was very forward in refusing what was never offered him. Soon after, he prorogued the parliament (7th July), not without discovering, in his speech, visible marks of dissatisfaction. Even so early in his reign, he saw reason to make public complaints of the restless and encroaching spirit of the puritanical party, and of the malevolence with which they endeavoured to inspire the commons. Nor were his complaints without foundation, or the puritans without interest; since the commons, now finding themselves free from the arbitrary government of Elizabeth, made application for a conference with the lords, and presented a petition to the king; the purport of both which was, to procure, in favour of the puritans, a relaxation of the ecclesiastical laws.⁴⁹ The use of the surplice, and of the cross in baptism, is there chiefly complained of; but the remedy seems to have been expected solely from the king's dispensing power.⁵⁰ In the papers which contain this application and petition, we may also see proofs of the violent animosity of the commons against the catholics, together with the intolerant spirit of that assembly. [See note EE, at the end of this Vol.]

PEACE WITH SPAIN. Aug. 18.

This summer the peace with Spain was finally concluded, and was signed by the Spanish ministers at London.⁵¹ In the conferences previous to this treaty, the nations were found to have so few claims on each other, that, except on account of the support given by England to the Low Country provinces, the war might appear to have been continued more on account of personal animosity between Philip and Elizabeth, than any contrariety of political interests between their subjects. Some articles in the treaty, which seemed prejudicial to the Dutch commonwealth, were never executed by the king; and as the Spaniards made no complaints on that head, it appeared that, by secret agreement, the king had expressly reserved the power of sending assistance to the Hollanders.⁵² The constable of Castile came into England to ratify the peace; and on the part of England, the earl of Hertford was sent into the Low Countries for the same purpose, and the earl of Nottingham, high admiral, into Spain. The train of the latter was numerous and splendid; and the Spaniards, it is said, were extremely surprised, when they beheld the blooming countenances and graceful appearance of the English, whom their bigotry, inflamed by the priests, had represented as so many monsters and infernal demons.

Though England, by means of her naval force, was perfectly secure during the latter

years of the Spanish war, James showed an impatience to put an end to hostilities; and soon after his accession, before any terms of peace were concerted, or even proposed by Spain, he recalled all the letters of marque⁵¹ which had been granted by queen Elizabeth. Archduke Albert had made some advances of a like nature,⁵² which invited the king to take this friendly step. But what is remarkable; in James's proclamation for that purpose, he plainly supposes, that, as he had himself, while king of Scotland, always lived in amity with Spain, peace was attached to his person, and that merely by his accession to the crown of England, without any articles of treaty or agreement, he had ended the war between the

kingdoms.⁵³ This ignorance of the law of nations may appear surprising in a prince, who was thirty-six years of age, and who had reigned from his infancy; did we not consider, that a king of Scotland, who lives in close friendship with England, has few transactions to manage with foreign princes, and has little opportunity of acquiring experience. Unhappily for James, his timidity, his prejudices, his indolence, his love of amusement, particularly of hunting, to which he was much addicted, ever prevented him from making any progress in the knowledge or practice of foreign politics, and in a little time diminished that regard which all the neighbouring nations had paid to England during the reign of his predecessor.⁵⁴

NOTES.

- Kennet, p. 662.
 1 Wilson, in Kennet, p. 665.
 2 Wilson, in Kennet, p. 662.
 3 Sully's Memoirs
 4 La Boderie, vol. i. p. 120.
 5 Winwood, vol. ii. p. 55.
 6 Sully's Memoirs
 7 State Trials, p. 180; 2d edit. Winwood, vol. ii. p. 8, 11.
 8 November 29.
 9 December 5.
 10 December 9.

- 11 Fuller, book 10, Collier, vol. ii. p. 67.
 12 James ventured to say, in his Royal

land, 'as I pr
 and since I :

this

a great
 tude and more his and vile per
 than with these satanic spirits; and suffer
 not the principal of them to brook your
 land.' *King James's Works*, p. 161.
 Fuller's Ecclesiast. History.

- Kennet, p. 665.
 Fuller's Ecclesiast. History.
 King James's Works, p. 484, 485. &c.
 Journ. 22d March, 1603. Kennet, p. 668.
 King James's Works, p. 495, 499.
 Journ. January 19, 1580.
 Journ. March 18, 1580. See farther
 11'Ewes, p. 430.
 12'Ewes, p. 397.
 30 Hen. VI.
 Journ. Feb. 8, 1580.

- 96 In a subsequent parliament, that of the
 55th of the queen, the commons, after
 great debate, expressly voted, that a
 person outlawed might be elected.
 12'Ewes, p. 518. But as the matter had
 been much contested, the king might
 think the vote of the house no law, and
 might esteem his own decision of more
 weight than theirs. We may also sup-
 pose that he was not acquainted with this
 vote. Queen Elizabeth, in her speech to
 her last parliament, complained of their
 admitting outlaws, and represents that

Jan. 11, 1604. Rymer, tom. xvi. p. 561.
 'The duke of Sully tells us, that it was a

this pretet
 meaning
 privileges

- this
 guidat parliamentary elections t
 27 Winwood, vol. ii. p. 18, 19.
 30 Jc. rn. 26th March, 1604.
 31 Jc. rn. 3d April, 1604.
 32 C. den, in Kennet, p. 975.
 33 Jc. rn. 26th March, 5th April, 1604.
 34 Jc. rn. 30th March, 1604.
 35 Jc. rn. 30th March, 1604.
 36 Jc. rn. 30th March, 1604.

- 37 Journ. 6th and 7th May, 1604.

- 38 Journ. 21 May, 1604.

- 39 Journ. 21 May, 1604.

- 40 A remonstrance from the Trinity-house,
 in 1602, says, that in a little above
 the shipping and
 number of women in England decayed
 about a third. *Anglesey's Happy Future
 State of England*, p. 128, from Sir
 Julius Caesar's Collections. See Journ.
 21 May, 1604.

- 41 Journ. 1 June, 1604. ●

- 42 Journ. 30 April, 1604.

- 43 Journ. 21 April, 1 May, 1604. Parl.
 Hist. vol. v. p. 91.

- 44 Journ. 7 June, 1604. Kennet, p. 673.

- 45 Parl. Hist. vol. v. p. 138.

- 46 Journ. 26 June, 1604.

- 7 La Boderie, the French ambassador,
 tha the

- p. 81.

- 48 Parl. Hist. vol. v. p. 128, 99, 100.

- 49 Rymer, tom. xvi. p. 585, &c.

- 50 Winwood, vol. ii. p. 27, 330. *et alibi*
 In this respect James's peace was more
 honourable than that which Henry IV.

prince stipulated not to assist the Dutch;
 and the supplies, which he secretly sent
 them, were in direct contravention to
 the treaty.

- 51 2d of June, 1608.

- 52 Grotius Annual. lib. 12.

- 53 See proclamations during the first seven
 years of King James. Winwood, vol. ii.
 p. 65.

- 54 *Memoirs de la Boderie*, vol. i. p. 64, 181.
 193, 217, 302. vol. ii. p. 944, 278.

CHAPTER XLVI.

*Gunpowder Conspiracy.—A Parliament.—Truce betwixt Spain and the United Province.
A Parliament.—Death of the French King.—Arminianism.—State of Ireland.*

WE are now to relate an event, one of the most memorable that history has conveyed to posterity, and containing at once a singular proof both of the strength and weakness of the human mind; its widest departure from morals, and most steady attachment to religious prejudices. 'Tis the *Gunpowder treason* of which I speak; a fact as certain as it appears incredible.

GUNPOWDER CONSPIRACY. 1605.

THE Roman catholics had expected great favour and indulgence on the accession of James, both as he was descended from Mary, whose life they believed to have been sacrificed to their cause, and as he himself, in his early youth, was imagined to have shown some partiality towards them, which nothing, they thought, but interest and necessity had since restrained. It is pretended, that he had even entered into positive engagements to tolerate their religion, as soon as he should mount the throne of England; whether their credulity had interpreted in this sense some obliging expressions of the king's, or that he had employed such an artifice, in order to render them favourable to his title.¹ Very soon they discovered their mistake; and were at once surprised and enraged to find James, on all occasions, express his intention of strictly executing the laws enacted against them, and of persevering in all the rigorous measures of Elizabeth. Catesby, a gentleman of good parts and of an ancient family, first thought of a most extraordinary method of revenge; and he opened his intention to Piercy, a descendant of the illustrious house of Northumberland. In one of their conversations with regard to the distressed condition of the catholics, Piercy having broken into a sally of passion, and mentioned assassinating the king; Catesby took the opportunity of revealing to him a nobler and more extensive plan of treason, which not only included a sure execution of vengeance, but afforded some hopes of restoring the catholic religion in England. In vain, said he, would you put an end to the king's life: he has children, who would succeed both to his crown and to his maxims of government. In vain would you extinguish

the whole royal family: the nobility, the gentry, the parliament, are all infected with the same heresy, and could raise to the throne another prince and another family, who, besides their hatred to our religion, would be animated with revenge for the tragical death of their predecessors. To serve any good purpose, we must destroy, at one blow, the king, the royal family, the lords, the commons; and bury all our enemies in one common ruin. Happily, they are all assembled on the first meeting of the parliament; and afford us the opportunity of glorious and useful vengeance. Great preparations will not be requisite. A few of us, combining, may run a mine below the hall in which they meet; and choosing the very moment when the king harangues both houses, consign over to destruction these determined foes to all piety and religion. Meanwhile, we ourselves standing aloof, safe and unsuspected, shall triumph in being the instruments of divine wrath, and shall behold with pleasure those sacrilegious walls, in which were passed the edicts for proscribing our church and butchering her children, tossed into a thousand fragments; while their impious inhabitants, meditating, perhaps, still new persecutions against us, pass from flames above to flames below, there for ever to endure the torments due to their offences.²

Piercy was charmed with this project of Catesby; and they agreed to communicate the matter to a few more, and among the rest to Thomas Winter, whom they sent over to Flanders, in quest of Fawkes, an officer in the Spanish service, with whose zeal and courage they were all thoroughly acquainted. When they enlisted any new conspirator, in order to bind him to secrecy, they always, together with an oath, employed the Communion, the most sacred rite of their religion.³ And it is remarkable, that no one of these pious devotees ever entertained the least compunction with regard to the cruel massacre which they projected, of whatever was great and eminent in the nation. Some of them only were startled by the reflection, that of necessity many catholics must be present; as spectators or attendants on the king, or as having seats in the house of peers: but Tesmond, a Jesuit, and Garnet, superior of that order in England, removed these

scruples, and showed them how the interests of religion required that the innocent should here be sacrificed with the guilty.

All this passed in the spring and summer of the year 1604; when the conspirators also hired a house in Piercy's name, adjoining to that in which the parliament was to assemble. Towards the end of that year they began their operations. That they might be less interrupted, and give less suspicion to the neighbourhood, they carried in store of provisions with them, and never desisted from their labour. Obstinate in their purpose, and confirmed by passion, by principle, and by mutual exhortation, they little feared death in comparison of a disappointment; and having provided arms, together with the instruments of their labour, they resolved there to perish in case of a discovery. Their perseverance advanced the work; and they soon pierced the wall, though three yards in thickness; but on approaching the other side, they were somewhat startled at hearing a noise, which they knew not how to account for. Upon inquiry, they found that it came from the vault below the house of lords; that a magazine of coals had been kept there; and that, as the coals were selling off, the vault would be let to the highest bidder. The opportunity was immediately seized; the place hired by Piercy; thirty-six barrels of powder lodged in it; the whole covered up with faggots and billets; the doors of the cellar boldly flung open; and every body admitted, as if it contained nothing dangerous.

Confident of success, they now began to look forward, and to plan the remaining part of their project. The king, the queen, prince Henry, were all expected to be present at the opening of parliament. The duke, by reason of his tender age, would be absent; and it was resolved, that Piercy should seize him, or assassinate him. The princess Elizabeth, a child likewise, was kept at lord Harrington's house at Warwickshire; and sir Everard Digby, Rookwood, Grant, being let into the conspiracy, engaged to assemble their friends on pretence of a hunting match, and seizing that princess, immediately to proclaim her queen.

So transported were they with rage against their adversaries, and so charmed with the prospect of revenge, that they forgot all care of their own safety; and trusting to the general confusion, which must result from so unexpected a blow, they foresaw not, that the fury of the people, now unrestrained by any authority, must have turned against them, and would probably have satiated itself, by an universal massacre of the catholics.

The day so long wished for, now approached, on which the parliament was appointed to assemble. The dreadful secret, though communicated to above twenty persons, had been religiously kept, during the space of near a

year and a half. No remorse, no pity, no fear of punishment, no hope of reward, had, as yet, induced any one conspirator, either to abandon the enterprise, or make a discovery of it. The holy fury had extinguished in their breast every other motive; and it was an indiscretion at last, proceeding chiefly from these very bigoted prejudices and partialities, which saved the nation.

Ten days before the meeting of parliament, lord Monteagle, a catholic, son to lord Morley, received the following letter, which had been delivered to his servant by an unknown hand. "My Lord, Out of the love I bear to some of your friends, I have a care of your preservation. Therefore would advise you, as you tender your life, to devise some excuse to shift off your attendance at this parliament. For God and man have concurred to punish the wickedness of this time. And think not slightly of this advertisement; but retire yourself into your country, where you may expect the event in safety. For though there be no appearance of any stir, yet, I say, they will receive a terrible blow this parliament, and yet they shall not see who hurts them. This counsel is not to be contemned, because it may do you good, and can do you no harm: for the danger is past as soon as you have burned the letter. And I hope God will give you the grace to make good use of it, unto whose holy protection I commend you."⁴

Monteagle knew not what to make of this letter; and though inclined to think it a foolish attempt to frighten and ridicule him, he judged it safest to carry it to lord Salisbury, secretary of state. Though Salisbury too was inclined to pay little attention to it, he thought proper to lay it before the king, who came to town a few days after. To the king it appeared not so light a matter; and from the serious earnest style of the letter, he conjectured, that it implied something dangerous and important. *A terrible blow*, and yet *the authors concealed*; a danger so sudden, and yet so great; these circumstances seemed all to denote some contrivance by gunpowder; and it was thought advisable to inspect all the vaults below the houses of parliament. This care belonged to the earl of Suffolk, lord chamberlain; who purposely delayed the search, till the day before the meeting of parliament. He remarked those great piles of wood and faggots which lay in the vault under the upper house; and he cast his eye upon Fawkes, who stood in a dark corner, and passed himself for Piercy's servant. That daring and determined courage, which so much distinguished this conspirator, even among those heroes in villany, was fully painted in his countenance, and was not passed unnoticed by the chamberlain.⁵ Such a quantity also of fuel, for the use of one who

lived so little in town as Piercy, appeared a little extraordinary; and upon comparing all circumstances, it was resolved that a more thorough inspection should be made. About midnight, sir Thomas Knevet, a justice of peace, was sent with proper attendants; and before the door of the vault finding Fawkes, who had just finished all his preparations, he immediately seized him, and turning over the 'aggots, discovered the powder. The matches and every thing proper for setting fire to the train were taken in Fawkes's pocket; who fluding his guilt now apparent, and seeing no refuge but in boldness and despair, expressed the utmost regret, that he had lost the opportunity of firing the powder at once, and of sweetening his own death by that of his enemies.⁷ Before the council, he displayed the same intrepid firmness, mixed even with scorn and disdain, refusing to discover his accomplices, and showing no concern but for the failure of the enterprise.⁸ This obstinacy lasted two or three days: but being confined to the Tower, left to reflect on his guilt and danger, and the rack being just shown to him; his courage, fatigued with so long an effort, and unsupported by hope or society, at last failed him; and he made a full discovery of all the conspirators.⁹

Cateshy, Piercy, and the other criminals, who were in London, though they had heard of the alarm taken at a letter sent to Monteaule; though they had heard of the chamberlain's search; yet were resolved to persist to the utmost, and never abandon their hopes of success. [*See note, FF, at the end of his Vol.*] But at last, hearing that Fawkes was arrested, they hurried down to Warwickshire; where sir Everard Digby, thinking himself assured that success had attended his confederates, was already in arms, in order to seize the princess Elizabeth. She had escaped into Coventry; and they were obliged to put themselves on their defence against the country, who were raised from all quarters, and armed, by the sheriff. The conspirators, with all their attendants, never exceeded the number of eighty persons; and being surrounded on every side, could no longer entertain hopes, either of prevailing or escaping. Having therefore confessed themselves, and received absolution, they boldly prepared for death, and resolved to sell their lives as dear as possible to the assailants. But even this miserable consolation was denied them. Some of their powder took fire, and disabled them for defence.¹⁰ The people rushed in upon them. Piercy and Cateshy were killed by one shot. Digby, Rookwood, Winter, and others, being taken prisoners, were tried, confessed their guilt, and died, as well as Garnet, by the hands of the executioner. Notwithstanding this horrid crime, the bigoted catholics were so devoted to

Garnet, that they fancied miracles to be wrought by his blood;¹¹ and in Spain he was regarded as a martyr.¹²

Neither had the desperate fortune of the conspirators urged them to this enterprise, nor had the former profligacy of their lives prepared them for so great a crime. Before that audacious attempt, their conduct seems, in general, to be liable to no reproach. Cateshy's character had entitled him to such regard, that Rookwood and Digby were seduced by their implicit trust in his judgment; and they declared, that, from the motive alone of friendship to him, they were ready, on any occasion, to have sacrificed their lives.¹³ Digby himself was as highly esteemed and beloved as any man in England; and he had been particularly honoured with the good opinion of queen Elizabeth.¹⁴ It was bigoted zeal alone, the most absurd of prejudices masqued with reason, the most criminal of passions covered with the appearance of duty, which seduced them into measures, that were fatal to themselves, and had so nearly proved fatal to their country.¹⁵

The lords Mordaunt and Stourton, two catholics, were fined, the former ten thousand pounds, the latter four thousand, by the Star-Chamber; because their absence from parliament had begotten a suspicion of their being acquainted with the conspiracy. The earl of Northumberland was fined thirty thousand pounds, and detained several years prisoner in the Tower; because, not to mention other grounds of suspicion, he had admitted Piercy into the number of gentlemen pensioners, without his taking the requisite oaths.¹⁶

The king, in his speech to the parliament, observed, that though religion had engaged the conspirators in so criminal an attempt, yet ought we not to involve all the Roman catholics in the same guilt, or suppose them equally disposed to commit such enormous barbarities. Many holy men, he said, and our ancestors among the rest, had been seduced to concur with that church in her scholastic doctrines; who yet had never admitted her seditious principles, concerning the pope's power of de-throning kings, or sanctifying assassination. The wrath of Heaven is denounced against crimes, but innocenterror may obtain its favour; and nothing can be more hateful than the uncharitableness of the puritans, who condemn alike to eternal torments, even the most inoffensive partisans of popery. For his part, he added, that conspiracy, however atrocious, should never alter, in the least, his plan of government, while with one hand he punished guilt; with the other he would still support and protect innocence.¹⁷ After this speech, he prorogued the parliament till the 22nd of January.¹⁸

1606. The moderation, and, I may say,

magnanimity, of the king, immediately after so narrow an escape from a most detestable conspiracy, was nowise agreeable to his subjects. Their animosity against popery, even before this provocation, had risen to a great pitch; and it had perhaps been more prudent in James, by a little dissimulation to have conformed himself to it. His theological learning, confirmed by disputation, had happily fixed his judgment in the protestant faith; yet was his heart a little biassed by the allurements of Rome, and he had been well pleased, if the making of some advances could have affected an union with that ancient mother-church. He strove to abate the acrimony of his own subjects against the religion of their fathers: he became himself the object of their diffidence and aversion. Whatever measures he embraced; in Scotland to introduce prelacy, in England to enforce the authority of the established church, and support its rites and ceremonies, were interpreted as so many steps towards popery; and were represented by the puritans as symptoms of idolatry and superstition. Ignorant of the consequences, or unwilling to sacrifice to politics his inclination, which he called his conscience, he persevered in the same measures, and gave trust and preference, almost indifferently, to his catholic and protestant subjects. And finding his person, as well as his title less obnoxious to the church of Rome, than those of Elizabeth, he gradually abated the rigour of those laws, which had been enacted against that church, and which were so acceptable to his bigoted subjects. But the effects of these dispositions on both sides became not very sensible till towards the conclusion of his reign.

At this time James seems to have possessed the affections even of his English subjects, and, in a tolerable degree, their esteem and regard. Hitherto their complaints were chiefly levelled against his too great constancy in his early friendships; a quality which, had it been attended with more economy, the wise would have excused, and the candid would even, perhaps, have applauded. His parts, which were not despicable, and his learning, which was great, being highly extolled by his courtiers and gownmen, and not yet tried in the management of any delicate affairs, for which he was unfit, raised a high idea of him in the world; nor was it always through flattery or insincerity that he received the title of the second Solomon. A report, which was suddenly spread about this time, of his being assassinated, visibly struck a great consternation into all orders of men.¹⁹ The commons also abated, this session, somewhat of their excessive frugality, and granted him an aid, payable in four years, of three subsidies and six fifteenths, which sir Francis Bacon said in the house,²⁰ might amount to about four

hundred thousand pounds: and for once the king and parliament parted in friendship and good humour. The hatred which the catholics so visibly bore him, gave him, at this time, an additional value in the eyes of his people. The only considerable point in which the commons incurred his displeasure, was by discovering their constant good-will to the puritans, in whose favour they desired a conference with the lords:²¹ which was rejected.

The chief affair transacted next session, (18th Nov.) was the intended union of the two kingdoms.²² Nothing could exceed the king's passion and zeal for this noble enterprise, but the parliament's prejudice and reluctance against it. There remain two excellent speeches in favour of the union, which it would not be improper to compare together; that of the king,²³ and that of sir Francis Bacon. Those, who affect in every thing such an extreme contempt for James, will be surprised to find, that his discourse, both for good reasoning and eloquent composition, approaches very near that of a man, who was undoubtedly, at that time, one of the greatest geniuses in Europe. A few trivial indiscretions and indecorums may be said to characterize the harangue of the monarch, and mark it for his own. And, in general, so open and avowed a declaration in favour of a measure, while he had taken no care, by any precaution or intrigue, to ensure success, may safely be pronounced an indiscretion. But the art of managing parliaments, by private interest or cabal, being found hitherto of little use or necessity, had not, as yet, become a part of English politics. In the common course of affairs, government could be conducted without their assistance; and when their concurrence became necessary to the measures of the crown, it was, generally speaking, except in times of great faction and discontent, obtained without much difficulty.

The king's influence seems to have rendered the Scottish parliament cordial in all the steps which they took towards the union. Though the advantages which Scotland might hope from that measure were more considerable; yet were the objections too, with regard to that kingdom, more striking and obvious. The benefit which must have resulted to England, both by accession of strength and security, was not despicable; and as the English were by far the greater nation, and possessed the seat of government, the objections, either from the point of honour, or from jealousy, could not reasonably have any place among them. The English parliament indeed seem to have been swayed merely by the vulgar motive of national antipathy. And they persisted so obstinately in their prejudices, that all the efforts for a thorough union and incorporation ended only in the abolition of

the hostile laws formerly enacted between the kingdoms.²⁴

Some precipitate steps which the king, a little after his accession, had taken, in order to promote his favourite project, had been here observed to do more injury than service. From his own authority, he had assumed the title of king of Great Britain; and had quartered the arms of Scotland with those of England, in all coins, flags, and ensigus. He had also engaged the judges to make a declaration, that all those who, after the union of the crowns, should be born in either kingdom, were, for that reason alone, naturalized in both. This was a nice question, and, according to the ideas of those times, susceptible of subtle reasoning on both sides. The king was the same; the parliaments were different. To render the people therefore the same, we must suppose that the sovereign authority resided chiefly in the prince, and that these popular assemblies were rather instituted to assist with money and advice, than endowed with any controlling or active powers in the government. *It is evident, says Baron in his pleadings on this subject, that all other commonwealths, monarchies only excepted, do subsist by a law precedent. For where authority is divided amongst many officers, and they not perpetual, but annual or temporary, and not to receive their authority but by election, and certain persons too have voices only in that election, and the like; these are busy and various frames, which of necessity do presuppose a law precedent, written or unwritten, to guide and direct them: but in monarchies, especially hereditary, that is, when several families or lineages of people do submit themselves to one line, imperial or royal, the submission is more natural or simple; which afterwards, by law subsequent, is perfected, and made more formal: but that is grounded upon nature.*²⁵ It would stem from this reasoning, that the idea of a hereditary, unlimited monarchy, though implicitly supposed in many public transactions, had scarcely ever, as yet, been expressly formed by any English lawyer or politician.

Except the obstinacy of the parliament with regard to the union, and an attempt on the king's ecclesiastical jurisdiction,²⁶ most of their measures, during this session, were sufficiently respectful and obliging; though they still discover a vigilant spirit and a careful attention towards national liberty. The votes also of the commons show, that the house contained a mixture of puritans, who had acquired great authority among them,²⁷ and who, together with religious prejudices, were continually suggesting ideas more suitable to a popular than a monarchical form of government. The natural appetite for rule made the commons lend a willing ear to every doctrine which tended to augment their own power and influence.

1607. A petition was moved in the lower house for a more rigorous execution of the laws against popish recusants, and an abatement towards protestant clergymen, who scrupled to observe the ceremonies. Both these points were equally unacceptable to the king; and he sent orders to the house to proceed no farther in that matter. The commons were inclined, at first, to consider these orders as a breach of privilege: but they soon acquiesced, when told that this measure of the king's was supported by many precedents during the reign of Elizabeth.²⁸ Had they been always disposed to make the precedents of that reign the rule of their conduct, they needed never have had any quarrel with any of their monarchs.

The complaints of Spanish depredations were very loud among the English merchants.²⁹ The lower house sent a message to the lords (5th June), desiring a conference with them, in order to their presenting a joint petition to the king on the subject. The lords took some time to deliberate on this message; because, they said, the matter was *weighty and rare*. It probably occurred to them at first, that the parliament's interposing in affairs of state would appear unusual and extraordinary. And, to show that in this sentiment they were not guided by court influence; after they had deliberated, they agreed to the conference.

The house of commons began now to feel themselves of such importance, that on the motion of sir Edwin Sandys, a member of great authority, they entered, for the first time, an order for the regular keeping of their journals.³⁰ When all business was finished, the king prorogued the parliament.

About this time there was an insurrection of the country people in Northamptonshire, headed by one Reynolds, a man of low condition. They went about destroying inclosures; but carefully avoided committing any other outrage. This insurrection was easily suppressed (4th July), and though great lenity was used towards the rioters, yet were some of the ringleaders punished. The chief cause of that trivial commotion seems to have been, of it self, far from trivial. The practice still continued in England, of disusing tillage, and throwing the land into inclosures for the sake of pasture. By this means the kingdom was depopulated, at least prevented from increasing so much in people as might have been expected from the daily increase of industry and commerce.

TRUCE BETWEEN SPAIN AND THE UNITED PROVINCES.

NEXT year presents us with nothing memorable: but in the spring of the subsequent [1609], after a long negotiation, was con-

cluded, by a truce of twelve years, that war, which for near half a century had been carried on with such fury between Spain and the States of the United Provinces. Never contest seemed, at first, more unequal: never contest was finished with more honour to the weaker party. On the side of Spain were numbers, riches, authority, discipline: on the side of the revolted provinces were found the attachment to liberty and the enthusiasm of religion. By her naval enterprises the republic maintained her armies; and, joining peaceful industry to military valour, she was enabled, by her own force, to support herself, and gradually rely less on those neighbouring princes, who, from jealousy to Spain, were at first prompted to encourage her revolt. Long had the pride of that monarchy prevailed over her interest, and prevented her from hearkening to any terms of accommodation with her rebellious subjects. But finding all intercourse cut off between her provinces by the maritime force of the States, she at last agreed to treat with them as a free people, and solemnly to renounce all claim and pretension to their sovereignty.

This chief point being gained, the treaty was easily brought to a conclusion, under the joint mediation and guarantee of France and England (30th March). All exterior appearances of honour were paid equally to both crowns: but very different were the sentiments which the States, as well as all Europe, entertained of the princes who wore them. Frugality and vigour, the chief circumstances which procure regard among foreign nations, shone out as conspicuously in Henry as they were deficient in James. To a contempt of the English monarch, Henry seems to have added a considerable degree of jealousy and aversion, which were sentiments altogether without foundation. James was just and fair in all transactions with his allies,³¹ but it appears from the memoirs of those times, that each side deemed him partial towards their adversary, and fancied that he had entered into secret measures against them.³² So little equity have men in their judgments of their own affairs; and so dangerous is that entire neutrality affected by the king of England!

A PARLIAMENT. Feb. 9, 1610.

THE little concern which James took in foreign affairs renders the domestic occurrences particularly those of parliament, the most interesting of his reign. A new session was held this spring; the king full of hopes of receiving supply; the commons of circumscribing his prerogative. The earl of Salisbury, now created treasurer on the death of the earl of Dorset laid open the king's necessities, first to the peers, then to a committee of the lower house.³³ He insisted on the unavoidable ex-

pence incurred in supporting the navy, and in suppressing a late insurrection in Ireland: he mentioned three numerous courts which the king was obliged to maintain, for himself, for the queen, and for the prince of Wales: he observed, that queen Elizabeth, though a single woman, had received very large supplies in the years preceding her death, which alone were expensive to her: and he remarked that, during her reign, she had alienated many of the crown lands; an expedient which, though it supplied her present necessities, without laying burdens on her people, extremely multiplied the necessities of her successor. From all these causes he thought it nowise strange, that the king's income should fall short so great a sum as eighty one thousand pounds of his stated and regular expence; without mentioning contingencies, which ought always to be esteemed a fourth of the yearly charges. And as the crown was now necessarily burdened with a great and urgent debt of 300,000 pounds, he thence inferred the absolute necessity of an immediate and large supply from the people. To all these reasons, which James likewise urged in a speech addressed to both houses (21st March), the commons remained inexorable. But, not to shock the king with an absolute refusal, they granted him one subsidy and one fifteenth; which would scarcely amount to a hundred thousand pounds. And James received the mortification of discovering, in vain, all his wants, and of begging aid of subjects who had no reasonable indulgence or consideration for him.

Among the many causes of disgust and quarrel, which now daily and unavoidably multiplied between prince and parliament, this article of money is to be regarded as none of the least considerable. After the discovery and conquest of the West Indies, gold and silver became every day more plentiful in England, as well as in the rest of Europe; and the price of all commodities and provisions rose to a height beyond what had been known since the declension of the Roman empire. As the revenue of the crown rose not in proportion,³⁴ the prince was insensibly reduced to poverty amidst the general riches of his subjects, and required additional funds, in order to support the same magnificence and force which had been maintained by former monarchs. But, while money thus flowed into England, we may observe, that, at the same time, and probably from that very cause, arts and industry of all kinds received a mighty increase; and elegance in every enjoyment of life became better known, and more cultivated among all ranks of people. The king's servants, both civil and military, his courtiers, his ministers, demanded more ample supplies from the impoverished prince, and were not contented with the same simplicity of living which had satisfied their

ancestors. The prince himself began to regard an increase of pomp and splendour as requisite to support the dignity of his character, and to preserve the same superiority above his subjects, which his predecessors had enjoyed. Some equality too, and proportion to the other sovereigns of Europe, it was natural for him to desire; and as they had universally enlarged their revenue, and multiplied their taxes, the king of England deemed it reasonable that his subjects, who were generally as rich as theirs, should bear with patience some additional burthens and impositions.

Unhappily for the king, those very riches, with the increasing knowledge of the age, bred opposite sentiments in his subjects; and, begetting a spirit of freedom and independence, disposed them to pay little regard either to the entreaties or menaces of their sovereign. While the barons possessed their former immense property and extensive jurisdictions, they were apt, at every disgust, to endanger the monarch, and throw the whole government into confusion: but this confusion often, in its turn, proved favourable to the monarch, and made the nation again submit to him, in order to re-establish justice and tranquillity. After the power of alienations, as well as the increase of commerce, had thrown the balance of property into the hands of the commons, the situation of affairs, and the dispositions of men, became susceptible of a more regular plan of liberty; and the laws were not supported singly by the authority of the sovereign. And though in that interval, after the decline of the peers, and before the people had yet experienced their force, the princes assumed an exorbitant power, and had almost annihilated the constitution under the weight of their prerogative; as soon as the commons recovered from their lethargy, they seem to have been astonished at the danger, and were resolved to secure liberty by firmer barriers than their ancestors had hitherto provided for it.

Had James possessed a very rigid frugality, he might have warded off this crisis somewhat longer; and waiting patiently for a favourable opportunity to increase and fix his revenue, might have secured the extensive authority transmitted to him. On the other hand, had the commons been inclined to act with more generosity and kindness towards their prince, they might probably have turned his necessities to good account, and have bribed him to depart peaceably from the more dangerous articles of his prerogative. But he was a foreigner, and ignorant of the arts of popularity; they were soured by religious prejudices, and tenacious of their money: and, in this situation, it is no wonder that, during this whole reign, we scarcely find an interval of mutual confidence and friendship between prince and parliament.

The king, by his prerogative alone, had some years before altered the rates of the customs, and had established higher impositions on several kinds of merchandise. This exercise of power will naturally, to us, appear arbitrary and illegal; yet, according to the principles and practices of that time, it might admit of some apology. The duties of tonnage and poundage were at first granted to the crown, by a vote of parliament, and for a limited time; and as the grant frequently expired and was renewed, there could not then arise any doubt concerning the origin of the king's right to levy these duties; and this imposition, like all others, was plainly derived from the voluntary consent of the people. But as Henry V. and all the succeeding sovereigns had the revenue conferred on them for life, the prince, so long in possession of these duties, began gradually to consider them as his own proper right and inheritance, and regarded the vote of parliament as a mere formality, which rather expressed the acquiescence of the people in his prerogative, than bestowed any new gift or revenue upon him.

The parliament, when it first granted poundage to the crown, had fixed no particular rates: the imposition was given as a shilling a pound, or five *per cent.* on all commodities: it was left to the king himself, and the privy council, aided by the advice of such merchants as they should think proper to consult, to fix the value of goods, and thereby the rates of the customs: and as that value had been settled before the discovery of the West-Indies, it was become much inferior to the prices which almost all commodities bore in every market in Europe; and consequently, the customs on many goods, though supposed to be five *per cent.* was in reality much inferior. The king, therefore, was naturally led to think that rates which were now plainly false, ought to be corrected;³⁵ that a valuation of commodities, fixed by one act of the privy council, might be amended by another; that if his right to poundage were inherent in the crown, he should also possess, of himself, the right of correcting its inequalities; if this duty were granted by the people, he should at least support the spirit of the law, by fixing a new and a juster valuation of all commodities. But besides this reasoning, which seems plausible, if not solid, the king was supported in that act of power by direct precedents, some in the reign of Mary, some in the beginning of Elizabeth.³⁶ Both these princesses had, without consent of parliament altered the rates of commodities; and as their impositions had, all along, been submitted to without a murmur, and still continued to be levied, the king had no reason to apprehend that a farther exertion of the same authority would give any occasion of complaint. That less umbrage

night be taken, he was moderate in the new rates which he established: the customs, during his whole reign, rose only from 127,000 pounds a year to 190,000; though, besides the increase of the rates, there was a sensible increase of commerce and industry during that period: every commodity, besides, which might serve to the subsistence of the people, or might be considered as a material of manufactures, was exempted from the new impositions of James:³⁷ but all this caution could not prevent his complaints of the commons. A spirit of liberty had now taken possession of the house: the leading members, men of an independent genius and large views, began to regulate their opinions, more by the future consequences which they foresaw, than by the former precedents which were set before them; and they less aspired at maintaining the ancient constitution, than at establishing a new one, and freer, and a better. In their remonstrances to the king on this occasion, they observed it to be a general opinion, *That the reasons of that practice might be extended much farther, even to the utter ruin of the ancient liberty of the kingdom, and the subjects' right of property in their lands and goods.*³⁸ Though expressly forbidden by the king to touch his prerogative, they passed a bill abolishing these impositions, which was rejected by the house of lords.

In another address to the king they objected to the practice of borrowing upon privy seals, and desired that the subjects should not be forced to lend money to his majesty, nor give a reason for their refusal. Some murmurs likewise were thrown out in the house against the new monopoly of the licence of wines.³⁹ It must be confessed, that forced loans and monopolies were established on many and ancient as well as recent precedents; though diametrically opposite to all the principles of a free government. [See note GG, at the end of this Vol.]

The house likewise discovered some discontent against the king's proclamations. James told them, *That though he well knew by the constitution and policy of the kingdom, that proclamations were not of equal force with laws; yet he thought it a duty incumbent on him, and a power inseparably annexed to the crown, to restrain and prevent such mischiefs and inconveniences as he saw growing on the state, against which no certain law was extant, and which might tend to the great detriment of the subject, if there should be no remedy provided 'till the meeting of a parliament. And this prerogative, he adds, our progenitors have, in all times, used and enjoyed.*⁴⁰ The intervals between sessions, we may observe, were frequently so long, as to render it necessary for a prince to interpose by his prerogative. The legality of this exertion was established by uniform and undisputed practice; and was

even acknowledged by lawyers, who made however this difference between laws and proclamations, that the authority of the former was perpetual, that of the latter expired with the sovereign who emitted them.⁴¹ But what the authority could be, which bound the subject, yet was different from the authority of laws, and inferior to it, seems inexplicable by any maxims of reason or politics: and in this instance as in many others, it is easy to see how inaccurate the English constitution was, before the parliament was enabled, by continued acquisitions or encroachments, to establish it on fixed principles of liberty.

Upon the settlement of the reformation, that extensive branch of power, which regards ecclesiastical matters, being then without an owner, seemed to belong to the first occupant; and Henry VIII. failed not immediately to seize it, and to exert it even to the utmost degree of tyranny. The possession of it was continued with Edward, and recovered by Elizabeth; and that ambitious princess was so remarkably jealous of this flower of her crown, that she severely reprimanded the parliament, if they ever presumed to intermeddle in these matters, and they were so overawed by her authority, as to submit, and to ask pardon on these occasions. But James's parliaments were much less obsequious. They ventured to lift up their eyes, and to consider this prerogative. They there saw a large province of government, possessed by the king alone, and scarcely ever communicated with the parliament. They were sensible that this province admitted not of an exact boundary of circumscription. They had felt that the Roman pontiff, in former ages, under pretence of religion, was gradually making advances to usurp the whole civil power. They dreaded still more dangerous consequences from the claims of their own sovereign, who resided among them, and who, in many other respects, possessed such unlimited authority. They therefore deemed it absolutely necessary to circumscribe this branch of prerogative; and accordingly, in the preceding session, they passed a bill against the establishment of any ecclesiastical canons without consent of parliament.⁴² But the house of lords, as is usual, defended the barriers of the throne, and rejected the bill.

In this session, the commons, after passing anew the same bill, made remonstrances against the proceedings of the high commission court.⁴³ It required no great penetration to see the extreme danger to liberty, arising in a regal government, from such large discretionary powers as were exercised by that court. But James refused compliance with the application of the commons. He was probably sensible that, besides the diminution of his authority, many inconveniences must necessarily result from the abolishing of all discretionary

power in every magistrate; and that the laws, were they ever so carefully framed and digested, could not possibly provide against every contingency; much less, where they had not, as yet, attained a sufficient degree of accuracy and refinement.

But the business which chiefly occupied the commons during this session, was the abolition of wardships and purveyance; prerogatives which had been more or less touched on, every session, during the whole reign of James. In this affair the commons employed the proper means, which might entitle them to success: they offered the king a settled revenue as an equivalent for the powers which he should part with; and the king was willing to hearken to terms. After much dispute he agreed to give up these prerogatives for 200,000 pounds a year, which they agreed to confer upon him.⁴⁴ And nothing remained, towards closing the bargain, but that the commons should determine the funds by which this sum should be levied. This session was too far advanced to bring so difficult a matter to a full conclusion, and though the parliament met again, towards the end of the year, and resumed the question, they were never able to terminate an affair upon which they seemed so intent. The journals of that session are lost; and, as the historians of this reign are very negligent in relating parliamentary affairs, of whose importance they were not sufficiently apprized, we know not exactly the reason of this failure. It only appears, that the king was extremely dissatisfied with the conduct of the parliament, and soon after dissolved it. This was his first parliament, and it sat near seven years.

Amidst all these attacks, some more, some less violent, on royal prerogative, the king displayed, as openly as ever, all his exalted notions of monarchy and the authority of princes. Even in a speech to the parliament, where he begged for supply, and where he should naturally have used every art to ingratiate himself with that assembly, he expressed himself in these terms: "I conclude, then, the point touching the power of kings, with this axiom of divinity, that, as to dispute *what God may do*, is blasphemy, but *what God wills*, that divines may lawfully and do ordinarily dispute and discuss; so is it sedition in subjects to dispute what a king may do in the height of his power. But just kings will ever be willing to declare what they will do, if they will not incur the curse of God. I will not be content, that my power be disputed upon; but I shall ever be willing to make the reason appear of my doings, and rule my actions according to my laws."⁴⁵ Notwithstanding the great extent of prerogative in that age, these expressions would probably give some offence. But we may observe, that, as the king's despotism was more speculative than practical, so

the independency of the commons was, at this time, the reverse; and though strongly supported by their present situation, as well as disposition, was too new and recent to be as yet founded on systematical principles and opinions. [See note HH, at the end of this Vol.]

DEATH OF THE FRENCH KING. May 3.

This year was distinguished by a memorable event, which gave great alarm and concern in England; the murder of the French monarch by the poniard of the fanatical Ravallac. With his death, the glory of the French monarchy suffered an eclipse for some years; and as that kingdom fell under an administration weak and bigoted, factious and disorderly, the Austrian greatness began anew to appear formidable to Europe. In England, the antipathy to the catholics revived a little upon this tragical event; and some of the laws which had formerly been enacted, in order to keep these religionists in awe, began now to be executed with great rigour and severity.⁴⁶

1611. Though James's timidity and indolence fixed him, during most of his reign, in a very prudent inattention to foreign affairs, there happened, this year, an event in Europe of such mighty consequence as to rouse him from his lethargy, and summon up all his zeal and enterprise. A professor of divinity, named Vorstius, the disciple of Arminius, was called from a German to a Dutch university; and as he differed from his Britannic majesty in some nice questions concerning the intimate essence and secret decrees of God, he was considered as a dangerous rival in scholastic fame, and was, at last, obliged to yield to the legions of that royal doctor, whose syllogisms he might have refuted or eluded. If vigour was wanting in other incidents of James's reign, here he behaved even with haughtiness and insolence; and the States were obliged, after several remonstrances, to deprive Vorstius, of his chair, and to banish him their dominions.⁴⁷ The king carried no farther his animosity against that professor; though he had very charitably hinted to the States, *That, as to the burning of Vorstius for his blasphemies and atheism, he left them to their own Christian wisdom; but surely never heretic better deserved the flames.*⁴⁸ It is to be remarked, that at this period, all over Europe, except in Holland alone, the practice of burning heretics still prevailed, even in protestant countries; and instances were not wanting in England during the reign of James.

1612. To consider James in a more advantageous light, we must take a view of him as the legislator of Ireland; and most of the institutions, which he had framed for civilizing that kingdom, being finished about this

eriod, it may not here be improper to give some account of them. He frequently boasts of the management of Ireland as his master-piece; and it will appear, upon inquiry, that his vanity, in this particular, was not altogether without foundation.

STATE OF IRELAND.

AFTER the subjection of Ireland by Elizabeth, the more difficult task still remained; to civilize the inhabitants, to reconcile them

to laws and industry, and to render their subjection durable and useful to the crown of England. James proceeded in this work by a steady, regular, and well-concerted plan; and in the space of nine years, according to John Davis, he made greater advances towards the reformation of that kingdom, than had been made in the four hundred and forty years which had elapsed since the conquest was first attempted.⁴⁰

It was previously necessary to abolish the Irish customs, which supplied the place of laws, and which were calculated to keep that people for ever in a state of barbarism and disorder.

By the *Brehon* law or custom, every crime, however enormous, was punished, not with death, but by a fine or pecuniary mulct, which was levied upon the criminal. Murder itself, as among all the ancient barbarous nations, was atoned for in this manner; and each man, according to his rank, had a different rate or value affixed to him, which if any one were willing to pay, he needed not fear assassinating his enemy. This rate was called his *eric*. When sir William Fitzwilliams, being lord deputy, told Maguire, that he was to send a sheriff into Fermanagh, which, a little before, had been made a county, and subjected to the English law; *Your sheriff*, said Maguire, *shall be welcome to me: but let me know, beforehand, his eric, or the price of his head, that if my people cut it off, I may levy the money upon the county.*⁴¹ As for oppression, extortion, and other trespasses, so little were they regarded, that no penalty was affixed to them, and no redress for such offences could ever be obtained.

The customs of *Gavelkind* and *Tanistry* were attended with the same absurdity in the distribution of property. The land, by the custom of *Gavelkind*, was divided among all the males of the sept or family, both bastard and legitimate: and, after partition made, if any of the sept died, his portion was not shared out among his sons; but the chieftain, at his discretion, made a new partition of all the lands belonging to that sept, and gave every one his share.⁴² As no man, by reason of this custom, enjoyed the fixed property of any land; to build, to plant, to enclose, to cultivate, to improve, would have been so much lost labour.

The chieftains and the tanists, though drawn from the principal families, were not hereditary, but were established by election, or, more properly speaking, by force and violence. Their authority was almost absolute, and, notwithstanding that certain lands were assigned to the office, its chief profit resulted from exactions, dues, assessments, for which there was no fixed law, and which were levied at pleasure.⁴³ Hence arose that common bye-word among the Irish, *That they dwell westward of the law, which dwell beyond the river of the Barrow*: meaning the country where the English inhabited, and which extended not beyond the compass of twenty miles, lying in the neighbourhood of Dublin.⁴⁴

After abolishing these Irish customs, and substituting English law in their place, James having taken all the natives under his protection, and declared them free citizens, proceeded to govern them by a regular administration, military as well as civil.

A small army was maintained, its discipline inspected, and its pay transmitted from England, in order to keep the soldiers from preying upon the country, as had been usual in former reigns. When Odogartie raised an insurrection, a reinforcement was sent over, and the flames of that rebellion were immediately extinguished.

All minds being first quieted by a general indemnity,⁴⁵ circuits were established, justice administered, oppression banished, and crimes and disorders of every kind severely punished.⁴⁶ As the Irish had been universally engaged in the rebellion against Elizabeth, a resignation of all the rights, which had been formerly granted them to separate jurisdictions, was rigorously exacted; and no authority, but that of the king and the law, was permitted throughout the kingdom.⁴⁷

A resignation of all private estates was even required; and when they were restored, the proprietors received them under such conditions as might prevent, for the future, all tyranny and oppression over the common people. The value of the dues, which the nobles usually claimed from their vassals, was estimated at a fixed sum, and all farther arbitrary exactions prohibited under severe penalties.⁴⁸

The whole province of Ulster having fallen into the crown by the attainder of rebels, a company was established in London, for planting new colonies in that fertile country: the property was divided into moderate shares, the largest not exceeding two thousand acres: tenants were brought over from England and Scotland: the Irish were removed from the hills and fastnesses, and settled in the open country: husbandry and the arts were taught them: a fixed habitation secured: plunder and robbery punished: and, by these means,

Ulster, from being the most wild and disorderly province of all Ireland, soon became the best cultivated and most civilized.⁵³

Such were the arts, by which James introduced humanity and justice among a people, who had ever been buried in the most profound barbarism. Noble cares! much superior to the vain and criminal glory of conquest; but requiring ages of perseverance and attention to perfect what had been so happily begun.

A laudable act of justice was, about this time, executed in England upon lord Sanquir, a Scottish nobleman, who had been guilty of the base assassination of Turner, a fencing-master. The English nation who were generally dissatisfied with the Scots, were enraged at this crime, equally mean and atrocious; but James appeased them, by preferring the severity of law to the intercession of the friends and family of the criminal.⁵⁹

NOTES.

State Trials, vol. ii. p. 201, 202, 203
Winwood, vol. ii. p. 49.

History of the Gunpowder Treason
State Trials, vol. i. p. 190, 198, 210.

King James's Works, p. 227.

King James's Works, p. 229.

King James's Works, p. 230.

Winwood, vol. ii. p. 173.

Winwood, vol. ii. p. 231.

State Trials, vol. i. p. 199. Discourse
of the manner, &c. p. 62, 70.

Winwood, vol. ii. p. 300.

Winwood, vol. ii. p. 300.

State Trials, vol. i. p. 201.

Athen. Ox. vol. ii. fol. 924.

Digby, after his condemnation, said in a letter to his wife; "Now for my intention, let me tell you, that if I had thought there had been the least sin in the plot, I would not have been of it for all the world; but no other cause drew me, to hazard my fortune and life, but zeal to God's religion." He expresses his surprise to hear that any catholics had condemned it. *Digby's papers*, published by *secretary*.

London in Kennet

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of allegiance; a very moderate test, since it decided no controverted points

which lay before the parliament. So little nation had they as yet of general liberty!—See Parliamentary History, vol. v. p. 108, 109, 110.
But

December

25, 26 Jan., 1607.

27 Journ. 26 February, 4, 7 March, 1609,

2 May, 17 June, 1607.

28 Journ. 16, 17 June, 1607.

29 Journ. 25 Feb. 1606.

30 Journ. 3 July, 1607.

31 The plan of accommodation which James recommended is found in Winwood, vol. ii. p. 329, 430, and is the same that was recommended by Henry, &c. a fr.

417. It had long been imagined by historians from James's authority, that James had declared to the court of Spain, that he would not support the

and independ. In
been discovered by Winwood's Mem.

that that report was founded on a lie of president Richardot's.

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Kennet, p. 681.

Besides the great abatement of the crown lands, the *fee-farm* rents never increased, and the other lands were let on

little or nothing above the old

Winwood, vol. ii. p. 438.

&c. 26 February, 1625. See also Sir John Davis's question concerning impost-

37 Sir John Davis's question concerning impositions.

38 Journ. 23 May, 1610.

39 Parliament Hist. vol. v. p. 241.

40 Parliament. Hist. vol. v. p. 250.

41 Journ. 12 May, 1621.

42 Journals, 2, 11 December; 5 March, 1608.

43 Parliament. Hist. vol. v. p. 217. Kennet, p. 681.

44 We learn from Winwood's Memorials, vol. ii. p. 193, the reason assigned for this particular sum. "From thence our lord treasurer came to the price."

It was more rise and fall like a merchant. That he would not have a flower of his crown (meaning the court of wards) so much teased; that it was too dainty to be so handled; and then, he said, that he must deliver the very countenance and character of the king's mind out of his own hand writing: which, before he read, he said he would acquaint as with a pleasant content of his majesty. As concerning the number of nine score thousand pounds, which was our number, he could not affect, because nine was the number of the poets, who were always beggars, though they served so many

the apostles, when the traitor, Judas, was away, and therefore might best be affected by his majesty: but there was a mean number, which might accord us both, and that was ten: which, says my lord treasurer, is a sacred number, for so many were God's common prophets, which tend to virtue and edification."

If the commons really voted twenty thousand pounds a year more, on account of this pleasant content of the king and the treasurer, it was certainly the last

in the world

45 King James's Works, p. 531.

46 Kennet, p. 684.

47 Kennet, p. 715.

48 Kennet, p. 715.

49 King James's Works, p. 239. edit 1613

50 Sir John Davis, p. 166.

51 Sir John Davis, p. 167.

52 Sir John Davis, p. 173.

53 Sir John Davis, p. 237.

54 Sir John Davis, p. 263.

55 Sir John Davis, p. 264, 265, &c.

56 Sir John Davis, p. 276.

57 Sir John Davis, p. 278.

58 Sir John Davis, p. 290.

59 Kennet, p. 688.

—See King James's Works, p. 250.

19 Kennet, p. 676.

20 Journ. 20 May, 1606.

21 Journ. 5 April, 1606.

22 Kennet, p. 676.

27 King James's Works, p. 509.

51 The commons were even so averse to the union, that they had complained in the former session to the lords, of the bishop of Bristol, for writing a book in favour of it; and the prelate was obliged to make submissions for this offence. The crime imputed to him seems to have consisted in his treating of a subject

CHAPTER XLVII.

Death of Prince Henry.—Marriage of the Princess Elizabeth with the Palatine.—Rise of Somerset.—His Marriage.—Overbury poisoned.—Fall of Somerset.—Rise of Buckingham.—Cautionary Towns delivered.—Affairs of Scotland.

DEATH OF PRINCE HENRY. Nov. 6.

THIS year the sudden death of Henry, prince of Wales, diffused an universal grief throughout the nation. Though youth and royal birth, both of them strong allurements, prepossess men mightily in favour of the early age of princes; it is with peculiar fondness that historians mention Henry: and in every respect, his merit seems to have been extraordinary. He had not reached his eighteenth year, and he already possessed more dignity in his behaviour, and commanded more respect, than his father, with all his age, learning and experience. Neither his high fortune, nor his youth, had seduced him into any irregular pleasures: business and ambition seem to have been his sole passion. His inclinations, as well as exercises, were martial. The French ambassador taking leave of him, and asking his commands for France, found him employed in the exercise of the pike; *Tell your king, said he, in what occupation you left me engaged.*¹ He had conceived great affection and esteem for the brave sir Walter Raleigh. It was his saying, *Sure no king but my father would keep such a bird in a cage.*² He seems indeed to have nourished too violent a contempt for the king on account of his pedantry and pusillanimity; and by that means struck in with the restless and martial spirit of the English nation. Had he lived, he had probably promoted the glory, perhaps not the felicity, of his people. The unhappy prepossession, which men commonly entertain in favour of ambition, courage, enterprise, and other warlike virtues, engages generous natures, who always love fame, into such pursuits as destroy their own peace and that of the rest of mankind.

Violent reports were propagated, as if Henry had been carried off by poison; but the physicians, on opening his body, found no symptoms to confirm such an opinion.³ The bold and criminal malignity of men's tongues and pens spared not even the king on the occasion. But that prince's character seems rather to have failed in the extreme of facility and humanity, than in that of cruelty and violence. His indulgence to Henry was great, and per-

haps imprudent, by giving him a large and independent settlement, even in so early youth.

MARRIAGE OF THE PRINCESS ELIZABETH WITH THE PALATINE.

Feb. 14, 1613.

THE marriage of the princess Elizabeth, with Frederic, elector palatine, was finished some time after the death of the prince, and served to dissipate the grief which arose on that melancholy event. But this marriage, though celebrated with great joy and festivity, proved, itself, an unhappy event to the king, as well as to his son-in-law, and had ill consequences on the reputation and fortunes of both. The elector, trusting to so great an alliance, engaged in enterprises beyond his strength. And the king, not being able to support him in his distress, lost entirely, in the end of his life, what remained of the affection and esteem of his own subjects.

RISE OF SOMERSET.

EXCEPT during sessions of parliament, the history of this reign may more properly be called the history of the court than that of the nation. An interesting object, had, for some years, engaged the attention of the court: it was a favourite, and one beloved by James, with so profuse and unlimited an affection, as left no room for any rival or competitor. About the end of the year 1609, Robert Carre, a youth of twenty years of age, and of a good family in Scotland, arrived in London, after having passed some time in his travels. All his natural accomplishments consisted in good looks: all his acquired abilities in an easy air and graceful demeanour. He had letters of recommendation to his countryman lord Hay; and that nobleman no sooner cast his eye upon him, than he discovered talents sufficient to entitle him immediately to make a great figure in the government. Apprized of the king's passion for youth and beauty, and exterior appearance, he studied how matters might be so managed that this new object should make the strongest impression upon him. Without mentioning him at

court, he assigned him the office, at a match at tilting, of presenting to the king his buckler and device; and hoped that he would attract the attention of the monarch. Fortune proved favourable to his design, by an incident which bore at first a contrary aspect. When Carre was advancing to execute his office, his unruly horse flung him, and broke his leg in the king's presence. James approached him with pity and concern: love and affection arose on the sight of his beauty and tender years; and the prince ordered him immediately to be lodged in the palace, and to be carefully attended. He himself, after the tilting, paid him a visit in his chamber, and frequently returned during his confinement. The ignorance and simplicity of the boy finished the conquest, begun by his exterior graces and accomplishments. Other princes having been fond of choosing their favourites from among the lower ranks of their subjects, and have reposed themselves on them with the more unreserved confidence and affection, because the object had been beholden to their bounty for every honour and acquisition: James was desirous that his favourite should also derive from him all his sense, experience, and knowledge. Highly conceited of his own wisdom, he pleased himself with the fancy that this raw youth, by his lessons and instructions, would, in a little time, be equal to his sagest ministers, and be initiated into all the profound mysteries of government, on which he set so high a value. And as this kind of creation was more perfectly his own work than any other, he seems to have indulged an unlimited fondness for his minion, beyond even that which he bore to his own children. He soon knighted him, created him viscount Rochester, gave him the garter, brought him into the privy council, and though, at first, without assigning him any particular office, bestowed on him the supreme direction of all his business and political concerns. Agreeable to this rapid advancement in confidence and honour, were the riches heaped upon the needy favourite; and while Salisbury and all the wisest ministers could scarcely find expedients sufficient to keep in motion the overburthened machine of government, James, with unsparing hand, loaded with treasures this insignificant and useless pageant.⁴

It is said, that the king found his pupil so ill educated, as to be ignorant even of the lowest rudiments of the Latin tongue; and that the monarch, laying aside the sceptre, took the birch into his royal hand, and instructed him in the principles of grammar. During the intervals of this noble occupation, affairs of state would be introduced; and the stripling, by the ascendant which he had acquired, was now enabled to repay in political, what he had received in grammatical, instruction. Such scenes and such incidents are the

more ridiculous, though the less odious, as the passion of James seems not to have contained in it any thing criminal or flagitious. History charges herself willingly with a relation of the great crimes, and still more with that of the great virtues of mankind; but she appears to fall from her dignity, when necessitated to dwell on such frivolous events and ignoble personages.

The favourite was not, at first, so intoxicated with advancement, as not to be sensible of his own ignorance and inexperience. He had recourse to the assistance and advice of a friend; and he was more fortunate in his choice than is usual with such pampered minions. In sir Thomas Overbury he met with a judicious and sincere counsellor, who, building all hopes of his own preferment on that of the young favourite, endeavoured to instil into him the principles of prudence and discretion. By zealously serving every body, Carre was taught to abate the envy which might attend his sudden elevation: by showing a preference for the English, he learned to escape the prejudices which prevailed against his country. And so long as he was content to be ruled by Overbury's friendly councils, he enjoyed, what is rare, the highest favour of the prince, without being hated by the people.

To complete the measure of courtly happiness, nought was wanting but a kind mistress; and, where high fortune concurred with all the graces of youth and beauty, this circumstance could not be difficult to attain. But it was here that the favourite met with that rock on which all his fortunes were wrecked, and which plunged him for ever into an abyss of infamy, guilt, and misery.

No sooner had James mounted the throne of England, than he remembered his friendship for the unfortunate families of Howard and Devereux, who had suffered for their attachment to the cause of Mary and to his own. Having restored young Essex to his blood and dignity, and conferred the titles of Suffolk and Northampton on two brothers of the house of Norfolk, he sought the farther pleasure of uniting these families by the marriage of the earl of Essex with lady Frances Howard, daughter of the earl of Suffolk. She was only thirteen, he fourteen years of age; and it was thought proper, till both should attain the age of puberty, that he should go abroad and pass some time in his travels.⁵ He returned into England after four years' absence, and was pleased to find his countess in the full lustre of beauty, and possessed of the love and admiration of the whole court. But, when the earl approached and claimed the privileges of a husband, he met with nothing but symptoms of aversion and disgust, and a flat refusal of any farther familiarities. He applied to her parents, who constrained her to attend him

into the country, and to partake of his bed; but nothing could overcome her rigid sullenness and obstinacy; and she still rose from his side, without having shared the nuptial pleasures. Disgusted with reiterated denials, he at last gave over the pursuit, and separating himself from her, thenceforth abandoned her conduct to her own will and discretion.

Such coldness and aversion in lady Essex arose not without an attachment to another object. The favourite had opened his addresses, and had been too successful in making impression on the tender heart of the young countess.⁶ She imagined that, so long as she refused the embraces of Essex, she never could be deemed his wife; and that a separation and divorce might still open the way for a new marriage with her beloved Rochester.⁷ Though their passion was so violent, and their opportunities of intercourse so frequent, that they had already indulged themselves in all the gratifications of love, they still lamented their unhappy fate, while the union between them was not entire and indissoluble. And the lover, as well as his mistress, was impatient, till their mutual ardour should be crowned by marriage.

So momentous an affair could not be concluded without consulting Overbury, with whom Rochester was accustomed to share all his secrets. While that faithful friend had considered his patron's attachment to the countess of Essex merely as an affair of gallantry, he had favoured its progress; and it was partly owing to the ingenious and passionate letters which he dictated, that Rochester had met with such success in his addresses. Like an experienced courtier, he thought that a conquest of this nature would throw a lustre on the young favourite, and would tend still farther to endear him to James, who was charmed to hear of the amours of his court, and listened with attention to every tale of gallantry. But great was Overbury's alarm, when Rochester mentioned his design of marrying the countess; and he used every method to dissuade his friend from so foolish an attempt. He represented how invidious, how difficult an enterprise to procure her a divorce from her husband: how dangerous, how shameful, to take into his own bed a profligate woman, who, being married to a young nobleman of the first rank, had not scrupled to prostitute her character, and to bestow favours on the object of a capricious and momentary passion. And, in the zeal of friendship, he went so far as to threaten Rochester, that he would separate himself for ever from him, if he could so far forget his honour and his interest as to prosecute the intended marriage.⁸

Rochester had the weakness to reveal this conversation to the countess of Essex; and

when her rage and fury broke out against Overbury, he had also the weakness to enter into her vindictive projects, and to swear vengeance against his friend, for the utmost instance which he could receive of his faithful friendship. Some contrivance was necessary for the execution of their purpose. Rochester addressed himself to the king; and after complaining, that his own indulgence to Overbury had begotten in him a degree of arrogance, which was extremely disagreeable, he procured a commission for his embassy to Russia; which he represented as a retreat for his friend, both profitable and honourable. When consulted by Overbury, he earnestly dissuaded him from accepting this offer, and took on himself the office of satisfying the king, if he should be anywise displeased with the refusal.⁹ To the king again he aggravated the insolence of Overbury's conduct, and obtained a warrant (21st April) for committing him to the Tower, which James intended as a slight punishment for his disobedience. The lieutenant of the Tower was a creature of Rochester's, and had lately been put into the office for this very purpose: he confined Overbury so strictly, that the unhappy prisoner was debarred the sight even of his nearest relations; and no communication of any kind was allowed with him, during near six months which he lived in prison.

This obstacle being removed, the lovers pursued their purpose; and the king himself, forgetting the dignity of his character, and his friendship for the family of Essex, entered zealously into the project of procuring the countess a divorce from her husband. Essex also embraced the opportunity of separating himself from a bad woman, by whom he was hated; and he was willing to favour their success by any honourable expedient. The pretence for a divorce was his incapacity to fulfil the conjugal duties; and he confessed, that, with regard to the countess, he was conscious of such an infirmity, though he was not sensible of it with regard to any other woman. In her place too, it is said, a young virgin was substituted under a mask, to undergo a legal inspection by a jury of matrons. After such a trial, seconded by court-influence, and supported by the ridiculous opinion of fascination or witchcraft, the sentence of divorce was pronounced between the earl of Essex and his countess.¹⁰ And, to crown the scene, the king, solicitous lest the lady should lose any rank by her new marriage, bestowed on his minion the title of earl of Somerset.

OVERBURY POISONED. Sept. 16.

NOTWITHSTANDING this success, the countess of Somerset was not satisfied, till she should

farther satiate her revenge on Overbury; and she engaged her husband, as well as her uncle, the earl of Northampton, in the atrocious design of taking him off secretly by poison. Fruitless attempts were reiterated by weak poisons; but, at last, they gave him one so sudden and violent, that the symptoms were apparent to every one who approached him.¹¹ His interment was hurried on with the greatest precipitation; and though a strong suspicion immediately prevailed in the public, the full proof of the crime was not brought to light till some years after.

The fatal catastrophe of Overbury increased or begot the suspicion, that the prince of Wales had been carried off by poison, given him by Somerset. Men considered not, that the contrary inference was much juster. If Somerset was so great a novice in this detestable art, that, during the course of five months, a man who was his prisoner, and attended by none but his emissaries, could not be dispatched but in so bungling a manner; how could it be imagined that a young prince, living in his own court, surrounded by his own friends and domestics, could be exposed to Somerset's attempts, and be taken off by so subtle a poison, if such a one exist, as could elude the skill of the most experienced physicians?

The ablest minister that James ever possessed, the earl of Salisbury, was dead;¹² Suffolk, a man of slender capacity, had succeeded him in his office: and it was now his task to supply, from an exhausted treasury, the profusion of James and of his young favourite. The title of baronet, invented by Salisbury, was sold; and two hundred patents of that species of knighthood were disposed of for so many thousand pounds: each rank of nobility had also its price affixed to it:¹³ privy seals were circulated to the amount of two hundred thousand pounds: benevolences were exacted to the amount of fifty-two thousand pounds.¹⁴ And some monopolies of no great value were erected. But all these expedients proved insufficient to supply the king's necessities; even though he began to enter into some schemes for retrenching his expenses.¹⁵ However small the hopes of success, a new parliament must be summoned, and this dangerous expedient, for such it was now become, once more be put to trial.

A PARLIAMENT. *April 5, 1614.*

WHEN the commons were assembled, they discovered an extraordinary alarm, on account of the rumour which was spread abroad concerning *undertakers*.¹⁶ It was reported, that several persons, attached to the king, had entered into a confederacy; and having laid a regular plan for the new elections had distri-

buted their interest all over England, and had undertaken to secure a majority for the court. So ignorant were the commons, that they knew not this incident to be the first infallible symptom of any regular or established liberty. Had they been contented to follow the maxims of their predecessors, who, as the earl of Salisbury said to the last parliament, never, but thrice in six hundred years refused a supply;¹⁷ they needed not dread that the crown should ever interest itself in their elections. Formerly the kings even insisted, that none of their household should be elected members; and though the charter was afterwards declared void, Henry VI. from his great favour to the city of York, conferred a peculiar privilege on its citizens, that they should be exempted from this trouble.¹⁸ It is well known, that, in ancient times, a seat in the house being considered as a burthen, attended neither with honour nor profit, it was requisite for the counties and boroughs to pay fees to their representatives. About this time a seat began to be regarded as an honour, and the country gentlemen contended for it; though the practice of levying wages for parliament men was not altogether discontinued. It was not till long after, when liberty was thoroughly established, and popular assemblies entered into every branch of public business, that the members began to join profit to honour, and the crown found it necessary to distribute among them all the considerable offices of the kingdom.

So little skill on so small means had the courtiers, in James's reign, for managing elections, that this house of commons showed rather a stronger spirit of liberty than the foregoing; and instead of entering upon the business of supply, as urged by the king, who made them several liberal offers of grace,¹⁹ they immediately resumed the subject which had been opened last parliament, and disputed his majesty's power of levying new customs and impositions, by the mere authority of his prerogative. It is remarkable that, in their debates on this subject, the courtiers frequently pleaded, as a precedent, the example of all the other hereditary monarchs in Europe, and particularly mentioned the kings of France and Spain; nor was this reasoning received by the house either with surprise or indignation.²⁰ The members of the opposite party either contented themselves with denying the justice of the inference, or they disputed the truth of the observation.²¹ And a patriot member in particular, sir Roger Owen, even in arguing against the impositions, frankly allowed, that the king of England was endowed with as ample power and prerogative as any prince in Christendom.²² The nations on the continent, we may observe, enjoyed still, in that age, some small remains of

liberty; and the English were possessed of little more.

The commons applied to the lords for a conference with regard to the new impositions. A speech of Neile, bishop of Lincoln, reflecting on the lower house, begat some altercation with the peers; [See note II, at the end of this Vol.] and the king seized the opportunity of dissolving immediately (6th June), with great indignation, a parliament which had shown so firm a resolution of retrenching his prerogative, without communicating, in return, the smallest supply to his necessities. He carried his resentment so far as even to throw into prison some of the members, who had been the most forward in their opposition to his measures.²³ In vain did he plead, in excuse for his violence, the example of Elizabeth and other princes of the line of Tudor, as well as Plantagenet. The people and the parliament, without abandoning for ever all their liberties and privileges, could acquiesce in none of these precedents, how ancient and frequent soever. And were the authority of such precedents admitted, the utmost that could be inferred is, that the constitution of England was, at that time, an inconsistent fabric, whose jarring and discordant parts must soon destroy each other, and from the dissolution of the old, begot some new form of civil government more uniform and consistent.

In the public and avowed conduct of the king and the house of commons, throughout this whole reign, there appears sufficient cause of quarrel and mutual disgust; yet are we not to imagine, that this was the sole foundation of that jealousy which prevailed between them. During debates in the house, it often happened, that a particular member, more ardent and zealous than the rest, would display the highest sentiments of liberty, which the commons contented themselves to hear with silence and seeming approbation; and the king, informed of these harangues, concluded the whole house to be infected with the same principles, and to be engaged in a combination against his prerogative. The king, on the other hand, though he valued himself extremely on his king-craft, and perhaps was not altogether incapable of dissimulation, seems to have been very little endowed with the gift of secrecy; but openly at his table, in all companies, inculcated those monarchical tenets which he had so strongly inhibited. Before a numerous audience, he had expressed himself with great disparagement of the common law of England, and had given the preference, in the strongest terms, to the civil law: and for this indiscretion he found himself obliged to apologise, in a speech to the former parliament.²⁴ As a specimen of his usual liberty of talk, we may mention a story, though it passed some time after, which we

meet with in the life of Waller, and which that poet used frequently to repeat. When Waller was young, he had the curiosity to go to court; and he stood in the circle, and saw James dine; where, among other company, there sat at table two bishops, Neile and Andrews. The king proposed aloud this question, Whether he might not take his subject's money when he needed it, without all this formality of parliament? Neile replied, *God forbid you should not: for you are the breath of our nostrils.* Andrews declined answering, and said, he was not skilled in parliamentary cases: but upon the king's urging him, and saying he would admit of no evasion, the bishop replied pleasantly, *Why then I think your majesty may lawfully take my brother Neile's money: for he offers it.*²⁵

SOMERSET'S FALL. 1615.

THE favourite had hitherto escaped the inquiry of justice; but he had not escaped that still voice which can make itself be heard amidst all the hurry and flattery of a court, and astonishes the criminal with a just representation of his most secret enormities. Conscious of the murder of his friend, Somerset received small consolation from the enjoyments of love, or the utmost kindness and indulgence of his sovereign. The graces of his youth gradually disappeared, the gaiety of his manners was obscured, his politeness and obliging behaviour were changed into sullenness and silence. And the king, whose affections had been engaged by these superficial accomplishments, began to estrange himself from a man who no longer contributed to his amusement.

The sagacious courtiers observed the first symptoms of this disgust: Somerset's enemies seized the opportunity, and offered a new minion to the king. George Villiers, a youth of one-and-twenty, younger brother of a good family, returned at this time from his travels, and was remarked for the advantages of a handsome person, genteel air, and fashionable apparel. At a comedy he was purposely placed full in James's eye, and immediately engaged the attention, and, in the same instant, the affections of that monarch.²⁶ Ashamed of his sudden attachment, the king endeavoured, but in vain, to conceal the partiality which he felt for the handsome stranger; and he employed all his profound politics to fix him in his service, without seeming to desire it. He declared his resolution not to confer any office on him; unless entreated by the queen; and he pretended, that it should only be in compliance to her choice he would agree to admit him near his person. The queen was immediately applied to; but she, well knowing the extreme to which the king carried these attachments, refused, at first, to lend her

countenance to this new passion. It was not till entreated by Abbot archbishop of Canterbury, a decent prelate, and one much prejudiced against Somerset, that she would condescend to oblige her husband, by asking this favour of him.⁹⁷ And the king, thinking now that all appearances were fully saved, no longer constrained his affection, but immediately bestowed the office of cup-bearer on young Villiers.

The whole court was thrown into parties between the two minions; while some endeavoured to advance the rising fortune of Villiers, others deemed it safer to adhere to the established credit of Somerset. The king himself, divided between inclination and decorum, increased the doubt and ambiguity of the courtiers; and the stern jealousy of the old favourite, who refused every advance of friendship from his rival, begat perpetual quarrels between their several partisans. But the discovery of Somerset's guilt in the murder of Overbury, at last decided the controversy, and exposed him to the ruin and infamy which he so well merited.

An apothecary's apprentice, who had been employed in making up the poisons, having retired to Flushing, began to talk very freely of the whole secret; and the affair at last came to the ears of Trumbal, the king's envoy in the Low Countries. By this means, sir Ralph Winwood, secretary of state, was informed, and he immediately carried the intelligence to James. The king, alarmed and astonished to find such enormous guilt in a man whom he had admitted into his bosom, sent for sir Edward Coke, chief justice, and earnestly recommended to him the most rigorous and unbiassed scrutiny. This injunction was executed with great industry and severity: the whole labyrinth of guilt was carefully unravelled: the lesser criminals, sir Jervis Elvis, lieutenant of the Tower, Franklin, Weston, Mrs. Turner, were first tried and condemned: Somerset and his countess were afterwards found guilty: Northampton's death, a little before, had saved him from a like fate.

It may not be unworthy of remark, that Coke, in the trial of Mrs. Turner, told her that she was guilty of the seven deadly sins: she was a whore, a bawd, a sorcerer, a witch, a papist, a felon, and a murderer.⁹⁸ And what may more surprise us, Bacon, then attorney-general, took care to observe, that poisoning was a popish trick.⁹⁹ Such were the bigoted prejudices which prevailed: poisoning was not, of itself, sufficiently odious, if it were not represented as a branch of popery. Stowe tells us, that when the king came to Newcastle, on his first entry into England, he gave liberty to all the prisoners, except those who were confined for treason, murder, and *papistry*. When one considers these circumstances, that

furious bigotry of the catholics which broke out in the gunpowder conspiracy, appears the less surprising.

All the accomplices in Overbury's murder received the punishment due to their crime: but the king bestowed a pardon on the principals, Somerset and the countess. It must be confessed, that James's fortitude had been highly laudable, had he persisted in his first intention of consigning over to severe justice all the criminals: but let us still beware of blaming him too harshly, if, on the approach of the fatal hour, he scrupled to deliver into the hands of the executioner, persons whom he had once favoured with his most tender affections. To soften the rigour of their fate, after some years imprisonment, he restored them to their liberty, and conferred on them a pension, with which they retired, and languished out old age in infamy and obscurity. Their guilty loves were turned into the most deadly hatred; and they passed many years together in the same house, without any intercourse or correspondence with each other.¹⁰⁰

Several historians,¹⁰¹ in relating these events, have insisted much on the dissimulation of James's behaviour, when he delivered Somerset into the hands of the chief justice; on the insolent menaces of that criminal; on his peremptory refusal to stand a trial; and on the extreme anxiety of the king during the whole progress of this affair. Allowing all these circumstances to be true, of which some are suspicious, if not palpably false,¹⁰² the great remains of tenderness which James still felt for Somerset may, perhaps, be sufficient to account for them. That favourite was high-spirited, and resolute rather to perish, than live under the infamy to which he was exposed. James was sensible that the pardoning of so great a criminal, which was of itself invidious, would become still more unpopular, if his obstinate and stubborn behaviour on his trial should augment the public hatred against him.¹⁰³ At least, the unreserved confidence in which the king had indulged his favourite for several years, might render Somerset master of so many secrets, that it is impossible, without farther light, to assign the particular reason of that superiority, which, it is said, he appeared so much to assume.

RISE OF BUCKINGHAM.

THE fall of Somerset, and his banishment from court, opened the way for Villiers to mount up at once to the full height of favour, of honours, and of riches. Had James's passion been governed by common rules of prudence, the office of cup-bearer would have attached Villiers to his person, and might well have contented one of his age and family; nor would any one, who was not cynically austere,

have much censured the singularity of the king's choice in his friends and favourites. But such advancement was far inferior to the fortune which he intended for his minion. In the course of a few years he created him viscount Villiers, earl, marquis, and duke of Buckingham, knight of the garter, master of the horse, chief justice in eyre, warden of the cinque ports, master of the king's-bench office, steward of Westminster, constable of Windsor, and lord high admiral of England.³⁴ His mother obtained the title of countess of Buckingham; his brother was created viscount Purbeck; and a numerous train of needy relations were all pushed up into credit and authority. And thus the fond prince, while he meant to play the tutor to his favourite, and to train him up in the rules of prudence and politics took an infallible method, by loading him with premature and exorbitant honours, to render him, for ever, rash, precipitate, and insolent.

1616. A young minion to gratify with pleasure, a necessitous family to supply with riches, were enterprises too great for the empty exchequer of James. In order to obtain a little money, the cautionary towns must be delivered up to the Dutch; a measure which has been severely blamed by almost all historians; and I may venture to affirm, that it has been censured much beyond its real weight and importance.

CAUTIONARY TOWNS DELIVERED.

WHEN queen Elizabeth advanced money for the support of the infant republic, besides the view of securing herself against the power and ambition of Spain, she still reserved the prospect of reimbursement; and she got consigned into her hands the three important fortresses of Flushing, the Brille, and Rammekins, as pledges for the money due to her. Indulgent to the necessitous condition of the States, she agreed that the debt should bear no interest; and she stipulated, that if ever England should make a separate peace with Spain, she should pay the troops which garrisoned those fortresses.³⁵

After the truce was concluded between Spain and the United Provinces, the States made an agreement with the king, that the debt, which then amounted to 800,000 pounds, should be discharged by yearly payments of 40,000 pounds; and as five years had elapsed, the debt was now reduced to 600,000 pounds; and in fifteen years more, if the truce were renewed, it would be finally extinguished.³⁶ But of this sum, 26,000 pounds a-year were expended on the pay of the garrisons: the remainder alone accrued to the king: and the States, weighing these circumstances, thought, that they made James a very advantageous offer, when they expressed their willingness, on the surrender of the cautionary towns, to

pay him immediately 250,000 pounds, and to incorporate the English garrisons in their army. It occurred also to the king, that even the payment of the 40,000 pounds a year was precarious, and depended on the accident that the truce should be renewed between Spain and the republic: if war broke out, the maintenance of the garrisons lay upon England alone; a burthen very useless, and too heavy for the slender revenues of that kingdom: that even during the truce, the Dutch, straitened by other expences, were far from being regular in their payments; and the garrisons were at present in danger of mutinying for want of subsistence: that the annual sum of 14,000 pounds, the whole saving on the Dutch payments, amounted, in fifteen years, to no more than 210,000 pounds; whereas 250,000 pounds were offered immediately, a larger sum, and if money be computed at ten per cent the current interest, more than double the sum to which England was entitled:³⁷ that if James waited till the whole debt were discharged, the troops, which composed the garrisons, remained a burthen upon him, and could not be broken, without receiving some consideration for their past services: that the cautionary towns were only a temporary restraint upon the Hollanders; and, in the present emergence, the conjunction of interest between England and the republic was so intimate as to render all other ties superfluous; and no reasonable measures for mutual support would be wanting from the Dutch, even though freed from the dependence of these garrisons: that the exchequer of the republic was at present very low, inasmuch that they found difficulty, now that the aids of France were withdrawn, to maintain themselves in that posture of defence which was requisite during the truce with Spain: and that the Spaniards were perpetually insisting with the king on the restitution of these towns, as belonging to their crown; and no cordial alliance could ever be made with that nation, while they remained in the hands of the English.³⁸ These reasons, together with his urgent wants, induced the king to accept of Caron's offer; and he evacuated the cautionary towns (6th June), which held the States in a degree of subjection, and which an ambitious and enterprising prince would have regarded as his most valuable possessions. This is the date of the full liberty of the Dutch commonwealth.

AFFAIRS OF SCOTLAND. 1617.

WHEN the crown of England devolved on James, it might have been foreseen by the Scottish nation, that the independence of their kingdom, the object for which their ancestors had shed so much blood, would now be lost; and that, if both states persevered

in maintaining separate laws and parliaments, the weaker would more sensibly feel the subjection, than if it had been totally subdued by force of arms. But these views did not generally occur. The glory of having given a sovereign to their powerful enemy, the advantages of present peace and tranquillity, the riches acquired from the munificence of their master; these considerations secured their dutiful obedience to a prince, who daily gave such sensible proofs of his friendship and partiality towards them. Never had the authority of any king, who resided among them, been so firmly established as was that of James, even when absent; and as the administration had been hitherto conducted with great order and tranquillity, there had happened no occurrence to draw thither our attention. But this summer, the king was resolved to pay a visit to his native country, in order to renew his ancient friendships and connections, and to introduce that change of ecclesiastical discipline and government, on which he was extremely intent. The three chief points of this kind, which James proposed to accomplish by his journey to Scotland, were, the enlarging of episcopal authority, the establishing of a few ceremonies in public worship, and the fixing of a superiority in the civil above the ecclesiastical jurisdiction.

But it is an observation suggested by all history, and by none more than by that of James and his successor, that the religious spirit, when it mingles with faction, contains in it something supernatural and unaccountable; and that, in its operations upon society, effects correspond less to their known causes than is found in any other circumstance of government. A reflection which may, at once, afford a source of blame against such sovereigns as lightly innovate in so dangerous an article, and of apology for such, as being engaged in an enterprise of that nature, are disappointed of the expected event, and fail in their undertakings.

When the Scottish nation was first seized with that zeal for reformation, which, though it caused such disturbance during the time, has proved so salutary in the consequences; the preachers, assuming a character little inferior to the prophetic or apostolical, disclaimed all subjection to the spiritual rulers of the church, by whom their innovations were punished and opposed. The revenues of the dignified clergy, no longer considered as sacred, were either appropriated by the present possessors, or seized by the more powerful barons; and what remained, after mighty dilapidations, was, by act of parliament, annexed to the crown. The prelates however, and abbots, maintained their temporal jurisdictions and their seats in parliament; and though laymen were sometimes endowed with ecclesiastical

titles, the church, notwithstanding its frequent protestations to the contrary, was still supposed to be represented by those spiritual lords, in the states of the kingdom. After many struggles the king, even before his accession to the throne of England, had acquired sufficient influence over the Scottish clergy, to extort from them an acknowledgment of the parliamentary jurisdiction of bishops; though attended with many precautions, in order to secure themselves against the spiritual encroachments of that order.³⁹ When king of England, he engaged them, though still with great reluctance on their part, to advance a step farther, and to receive the bishops as perpetual presidents or moderators in their ecclesiastical synods; reiterating their protestations against all spiritual jurisdiction of the prelates, and all controlling power over the presbyters.⁴⁰ And by such gradual innovations, the king flattered himself, that he should quietly introduce episcopal authority: but as his final scope was fully seen from the beginning, every new advance gave fresh occasion of discontent, and, instead of softening the abhorrence entertained against the prelatry,

What rendered the king's aim more apparent were, the endeavours, which, at the same time, he used to introduce into Scotland some of the ceremonies of the church of England: the rest, it was easily foreseen, would soon follow. The fire of devotion, excited by novelty, and inflamed by opposition, had so possessed the minds of the Scottish reformers, that all rites and ornaments, and even order of worship, were disdainfully rejected as useless burdens; retarding the imagination in its rapturous ecstasies, and cramping the operations of that divine spirit, by which they supposed themselves to be animated. A mode of worship was established, the most naked and most simple imaginable; one that borrowed nothing from the senses; but reposed itself entirely on the contemplation of that divine essence, which discovers itself to the understanding only. This species of devotion so worthy of the Supreme Being, but so little suitable to human frailty, was observed to occasion great disturbances in the breast, and in many respects to confound all rational principles of conduct and behaviour. The mind, straining for these extraordinary raptures, reaching them by short glances, sinking again under its own weakness, rejecting all exterior aid of pomp and ceremony, was so occupied in this inward life, that it fled from every intercourse of society, and from every cheerful amusement, which could soften or humanize the character. It was obvious to all discerning eyes, and had not escaped the king's, that, by the prevalence of fanaticism, a gloomy and sullen disposition established itself among the people; a spirit, obstinate, and dangerous,

independent and disorderly; animated equally with a contempt of authority, and a hatred to every other mode of religion, particularly to the catholic. In order to mellow these humours, James endeavoured to infuse a small tincture of ceremony into the national worship, and to introduce such rites as might, in some degree, occupy the mind, and please the senses, without departing too far from that simplicity, by which the reformation was distinguished. The finer arts too, though still rude in these northern kingdoms, were employed to adorn the churches; and the king's chapel, in which an organ was erected, and some pictures and statues displayed, was proposed as a model to the rest of the nation. But music was grating to the prejudiced ears of the Scottish clergy; sculpture and painting appeared instruments of idolatry; the surplice was a rag of popery; and every motion or gesture, prescribed by the liturgy, was a step towards that spiritual Babylon, so much the object of their horror and aversion. Every thing was deemed impious, but their own mystical comments on the Scriptures, which they idolized, and whose eastern prophetic style they employed in every common occurrence.

It will not be necessary to give a particular account of the ceremonies which the king was so intent to establish. Such institutions, for a time, are esteemed either too divine to have proceeded from any other being than the supreme Creator of the universe, or too diabolical to have been derived from any but an infernal demon. But no sooner is the mode of the controversy past, than they are universally discovered to be of so little importance, as scarcely to be mentioned with decency amidst the ordinary course of human transactions. It suffices here to remark, that the rites introduced by James regarded the kneeling at the sacrament, private communion, private baptism, confirmation of children, and the observance of Christmas and other festivals.⁴¹ The acts, establishing these ceremonies, were afterwards known by the name of the articles of Perth, from the place where they were ratified by the assembly.

A conformity of discipline and worship between the churches of England and Scotland, which was James's aim, he never could hope to establish, but by first procuring an acknowledgment of his own authority in all spiritual causes; and nothing could be more contrary to the practice as well as principles of the presbyterian clergy. The ecclesiastical courts possessed the power of pronouncing excommunication; and that sentence, besides the spiritual consequences supposed to follow from it, was attended with immediate effects of the most important nature. The person excommunicated was shunned by every one as profane and impious; and his whole estate,

during his lifetime, and all his moveables, for ever, were forfeited to the crown. Nor were the previous steps, requisite before pronouncing this sentence, formal or regular, in proportion to the weight of it. Without accuser, without summons, without trial, any ecclesiastical court, however inferior, sometimes pretended, in a summary manner, to denounce excommunication for any cause, and against any person, even though he lived not within the bounds of their jurisdiction.⁴² And by this means the whole tyranny of the inquisition, though without its order, was introduced into the kingdom.

But the clergy were not content with the unlimited jurisdiction which they exercised in ecclesiastical matters: they assumed a censorial power over every part of administration; and, in all their sermons, and even prayers, mingling politics with religion, they inculcated the most seditious and most turbulent principles. Black, minister of St. Andrews, went so far,⁴³ in a sermon, as to pronounce all kings the devil's children; he gave the queen of England the appellation of Atheist; he said, that the treachery of the king's heart was now fully discovered; and in his prayers for the queen he used these words; *We must pray for her for the fashion's sake, but we have no cause: she will never do us any good.* When summoned before the privy-council, he refused to answer to a civil court for any thing delivered from the pulpit, even though the crime of which he was accused, was of a civil nature. The church adopted his cause. They raised a sedition in Edinburgh.⁴⁴ The king, during some time, was in the hands of the enraged populace; and it was not without courage, as well as dexterity, that he was able to extricate himself.⁴⁵ A few days after, a minister, preaching in the principal church of that capital, said, that the king was possessed with a devil; and, that one devil being expelled, seven worse had entered in his place.⁴⁶ To which he added, that the subjects might lawfully rise, and take the sword out of his hand. Scarcely, even during the darkest night of papal superstition, are there found such instances of priestly encroachments, as the annals of Scotland present to us during that period.

By these extravagant stretches of power, and by the patient conduct of James, the church began to lose ground, even before the king's accession to the throne of England: but no sooner had that event taken place, than he made the Scottish clergy sensible, that he was become the sovereign of a great kingdom, which he governed with great authority. Though formerly he would have thought himself happy to have made a fair partition with them of the civil and ecclesiastical authority he was now resolved to exert a supreme jurisdic-

diction in church as well as state, and to put an end to their seditious practices. An assembly had been summoned at Aberdeen;⁴⁷ but, on account of his journey to London, he prorogued it to the year following. Some of the clergy, disavowing his ecclesiastical supremacy, met at the time first appointed, notwithstanding his prohibition. He threw them into prison. Such of them as submitted, and acknowledged their error, were pardoned. The rest were brought to their trial. They were condemned for high treason. The king gave them their lives; but banished them the kingdom. Six of them suffered this penalty.⁴⁸

The general assembly was afterwards induced⁴⁹ to acknowledge the king's authority in summoning ecclesiastical courts, and to submit to the jurisdiction and visitation of the bishops. Even their favourite sentence of excommunication was declared invalid, unless confirmed by the ordinary. The king recommended to the inferior courts the members whom they should elect to this assembly; and every thing was conducted in it with little appearance of choice and liberty.⁵⁰

By his own prerogative likewise, which he seems to have stretched on this occasion, the king erected a court of high commission,⁵¹ in imitation of that which was established in England. The bishops and a few of the clergy, who had been summoned, willingly acknowledged this court; and it proceeded immediately upon business, as if its authority had been grounded on the full consent of the whole legislature.

But James reserved the final blow for the time when he should himself pay a visit to Scotland. He proposed to the parliament (13th June), which was then assembled, that they should enact, that, "whatever his majesty should determine in the external government of the church, with the consent of the archbishops, bishops, and a competent number of the ministry, should have the force of law."⁵² What number should be deemed competent was not determined: and their nomination was left entirely to the king: so that his ecclesiastical authority, had this bill passed, would have been established in its full extent. Some of the clergy protested. They apprehended, they said, that the purity of their church would, by means of this new authority, be polluted with all the rites and liturgy of the church of England. James, dreading clamour and opposition, dropped the bill, which had already passed the lords of articles; and asserted, that the inherent prerogative of the crown contained more power than was recognised by it. Some time after (10th July), he called, at St. Andrews, a meeting of the bishops and thirty-six of the most eminent clergy. He there declared his resolution of exerting his prerogative, and of establishing, by

his own authority, the few ceremonies which he had recommended to them. They entreated him rather to summon a general assembly. An assembly was accordingly summoned to meet on the 25th of November ensuing.

Yet this assembly, which met after the king's departure from Scotland, eluded all his applications: and it was not till the subsequent year, that he was able to procure a vote for receiving his ceremonies. And through every step of this affair, in the parliament as well as in all the general assemblies, the nation betrayed the utmost reluctance to all these innovations; and nothing but James's importunity and authority had extorted a seeming consent, which was belied by the inward sentiments of all ranks of people. Even the few, over whom religious prejudices were not prevalent, thought national honour sacrificed by a servile imitation of the modes of worship practised in England. And every prudent man agreed in condemning the measures of the king, who by an ill-timed zeal for insignificant ceremonies, had betrayed, though in an opposite manner, equal narrowness of mind with the persons whom he treated with such contempt. It was judged, that, had not these dangerous humours been irritated by opposition; had they been allowed peaceably to evaporate; they would at least have subsided within the limits of law and civil authority. And that as all fanatical religions naturally circumscribe to very narrow bounds the numbers and riches of the ecclesiastics; no sooner is their first fire spent, than they lose their credit over the people, and leave them under the natural and beneficent influence of their civil and moral obligations.

At the same time that James shocked, in so violent a manner, the religious principles of his Scottish subjects, he acted in opposition to those of his English. He had observed, in his progress through England, that a judaical observance of the Sunday, chiefly by means of the puritans, was every day gaining ground throughout the kingdom, and that the people, under colour of religion, were, contrary to former practice, debarred such sports and recreations as contributed both to their health and their amusement.⁵³ Festivals, which, in other nations and ages, are partly dedicated to public worship, partly to mirth and society, were here totally appropriated to the offices of religion, and served to nourish those sullen and gloomy contemplations, to which the people were, of themselves, so unfortunately subject. The king imagined, that it would be easy to infuse cheerfulness into this dark spirit of devotion. He issued a proclamation to allow and encourage, after divine service, all kinds of lawful games and exercises; and, by his authority, he endeavoured to give sanction to a practice, which his subjects regarded as the utmost instance of profaneness and impiety.⁵⁴

NOTES.

1 The French monarch had given particular orders to his ministers to cultivate the prince's friendship; who must soon be

and qui are held in little estimation. See *Dep. de la Bodeu*, vol. i. p. 402. 415; vol. ii. p. 16. 349.

2 Coke's Detection, p. 37.

3 Kennet, p. 690. Coke, p. 37. Welwood, p. 272.

4 Kennet, p. 685, 686, &c.

5 Kennet, p. 686.

6 Kennet, p. 687.

7 State Trials, vol. i. p. 228.

8 State Trials, vol. i. p. 235, 236, 252. Franklyn, p. 14.

9 State Trials, vol. i. p. 236, 237, &c.

Franklyn's Annals, p. 2, 3, &c.

Kennet, p. 691. State Trials, vol. i. p. 233, 234, &c.

14th of May, 1612.

Franklyn, p. 11. 31.

Franklyn, p. 10.

Franklyn, p. 49.

met, p. 696. Journ. 12 April, 1614, &c. Franklyn, p. 48.

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English parliaments did anciently carry

dom could be prevailed upon to give the necessary support to government.

Coke's Institutes, part i. chap. i. of Charters of Exemption.

Journ. 11 April, 1614.

Journ. 21 May, 1614.

Journ. 12, 21 May, 1614.

Journ. 18 April, 1614.

Kennet, p. 692.

King James's Works, p. 432

Preface to Waller's Works.

Franklyn, p. 50. Kennet, vol. ii. p. 698.

Coke, p. 46, 47. Rush, vol. i. p. 456.

State Trials, vol. i. p. 230.

State Trials, vol. i. p. 242.

Kennet, p. 693.

Coke, Weldon, &c.

See Biog. Brit. article Coke, p. 1384.

Racon, vol. iv. p. 617

Franklyn, p. 30. Clarendon, 8vo. edit.

vol. i. p. 10.

Rymer, tom. xvi. p. 941. Winwood,

vol. ii. p. 831.

Sir Dudley Carleton's Letters, p. 27, 28.

1 In 1606.

Franklyn, p. 25. Spotswood

Spotswood.

In 1596.

17 Dec. 1596.

Spotswood.

Spotswood.

July, 1604

Spotswood.

6th June, 1610.

Spotswood.

15th Feb. 1610.

Spotswood. Franklyn, p. 29

Kennet, p. 709.

Franklyn, p. 31. To show how rigid

the English, chiefly the puritans, were

become in this particular, a bill was

introduced into the house of commons,

in the 18th of the king, for the more

strict observance of the Sunday, which

they affected to call the Sabbath. One

Shepherd opposed this bill, objected to

the appellation of Sabbath as puritanical,

defended dancing by the example of David,

and seems even to have justified sports on

that day. For this profaneness he was

expelled the house, by the suggestion

used

so far this puritanical spirit of the

commons, that they proposed, that the

appellation of Sabbath should be changed

into that of the Lord's Day. Journ. 15,

16 Feb. 1620, 28 May, 1621. In Shep-

herd's sentence, his offence is said by

the house to be great, exorbitant, unpa-

ralled.

200,000. Yet the bargain was good for the Dutch, as well as the king, because

maintenance of useless gai

Rushworth, vol. i. p. 3

In 1598.

CHAPTER XLVIII.

Sir Walter Raleigh's Expedition.—His Execution.—Insurrection in Bohemia.—Loss of the Palatinate.—Negotiations with Spain.—A Parliament.—Parties.—Fall of Bacon.—Rupture between the King and the Commons.—Protestation of the Commons.

SIR WALTER RALEIGH'S EXPEDITION. 1618.

AT the time when sir Walter Raleigh was first confined in the Tower, his violent and haughty temper had rendered him the most unpopular man in England; and his condemnation was chiefly owing to that public odium under which he laboured. During the thirteen years' imprisonment which he suffered, the sentiments of the nation were much changed with regard to him. Men had leisure to reflect on the hardship, not to say injustice, of his sentence; they pitied his active and enterprising spirit, which languished in the rigours of confinement; they were struck with the extensive genius of the man, who, being educated amidst naval and military enterprises, had surpassed, in the pursuits of literature, even those of the most reclusive and sedentary lives; and they admired his unbroken magnanimity, which, in the most adverse circumstances, could engage him to undertake and execute so great a work as his *History of the World*. To increase these favourable dispositions, on which he built the hopes of recovering his liberty, he spread the report of gold in Guiana, and which was sufficient, according to his representation, not only to enrich all the adventurers, but to afford immense treasures to the nation. The king gave little credit to these mighty promises, both because he believed that no such mine as the one described was any where in nature, and because he considered Raleigh as a man of desperate fortunes, whose business it was, by any means to procure his freedom, and to reinstate himself in credit and authority. Thinking, however, that he had already undergone sufficient punishment, he released him from the Tower; and when his vaults of the golden mine had induced multitudes to engage with him, the king gave them permission to try the adventure, and, at their desire, he conferred on Raleigh authority over his fellow-adventurers. Though strongly solicited, he still refused to grant him a pardon, which seemed a natural consequence, when he was intrusted with power and command. But James declared himself still diffident of Raleigh's intentions;

and he meant, he said, to reserve the former sentence, as a check upon his future behaviour.

Raleigh well knew, that it was far from the king's purpose to invade any of the Spanish settlements: he therefore firmly denied that Spain had planted any colonies on that part of the coast where his mine lay. When Gondomar, the ambassador of that nation, alarmed at his preparations, carried complaints to the king, Raleigh still protested the innocence of his intentions: and James assured Gondomar, that he durst not form any hostile attempt, but should pay with his head for so audacious an enterprise. The minister, however, concluding that twelve armed vessels were not fitted out without some purpose of invasion, conveyed the intelligence to the court of Madrid, who immediately gave orders for arming and fortifying all their settlements, particularly those along the coast of Guiana.

When the courage and avarice of the Spaniards and Portuguese had discovered so many new worlds, they were resolved to show themselves superior to the barbarous heathens whom they invaded, not only in arts and arms, but also in the justice of the quarrel: they applied to Alexander VI. who then filled the papal chair; and he generously bestowed on the Spaniards the whole western, and on the Portuguese the whole eastern part of the globe. The more scrupulous protestants, who acknowledged not the authority of the Roman pontiff, established the first discovery as the foundation of *their* title; and if a pirate or sea adventurer of their nation had but erected a stick or a stone on the coast, as a memorial of his taking possession, they concluded the whole continent to belong to them, and thought themselves entitled to expel or exterminate, as usurpers, the ancient possessors and inhabitants. It was in this manner that sir Walter Raleigh, about twenty-three years before, had acquired to the crown of England a claim to the continent of Guiana, a region as large as the half of Europe; and though he had immediately left the coast, yet he pretended that the English title to the whole remained certain and indefeasible. But it had happened in the mean time, that the Spaniards, not knowing, or not acknowledging this imaginary claim, had taken possession of a part or

Guiana, had formed a settlement on the river Oronooko, had built a little town called St. Thomas, and were there working some mines of small value.

To this place Raleigh directly bent his course; and, remaining himself at the mouth of the river with five of the largest ships, he sent up the rest to St. Thomas, under the command of his son, and a captain Keymis, a person entirely devoted to him. The Spaniards, who had expected this invasion, fired on the English at their landing, were repulsed, and pursued into the town. Young Raleigh, to encourage his men, called out, *That this was the true mine, and none but fools looked for any other*: and advancing upon the Spaniards, received a shot, of which he immediately expired. This dismayed not Keymis and the others. They carried on the attack; got possession of the town, which they afterwards reduced to ashes; and found not in it any thing of value.

Raleigh did not pretend, that he had himself seen the mine, which he had engaged so many people to go in quest of: it was Keymis, he said, who had formerly discovered it, and had brought him that lump of ore, which promised such immense treasures; yet Keymis, who owned that he was within two hours march of the place, refused, on the most absurd pretences, to take any effectual step towards finding it; and he returned immediately to Raleigh, with the melancholy news of his son's death, and the ill success of the enterprise. Sensible to reproach, and dreading punishment for his behaviour, Keymis, in despair, retired into his cabin, and put an end to his own life.

The other adventurers now concluded, that they were deceived by Raleigh; that he never had known of any such mine as he pretended to go in search of; that his intention had ever been to plunder St. Thomas; and having encouraged his company by the spoils of that place, to have thence proceeded to the invasion of the other Spanish settlements; that he expected to repair his ruined fortunes by such daring enterprises; and that he trusted to the money he should acquire, for making his peace with England; or if that view failed him, that he purposed to retire into some other country, where his riches would secure his retreat.

The small acquisitions gained by the sack of St. Thomas, discouraged Raleigh's companions from entering into these views; though there were many circumstances in the treaty and late transactions between the nations, which might invite them to engage in such a piratical war against the Spaniards.

When England made peace with Spain, the example of Henry IV. was imitated, who, at the treaty of Vervins, finding a difficulty in

adjusting all questions with regard to the Indian trade, had agreed to pass over that article in total silence. The Spaniards having, all along, published severe edicts against the intercourse of any European nation with their colonies, interpreted this silence in their own favour, and considered it as a tacit acquiescence of England in the established laws of Spain. The English, on the contrary, pretended that, as they had never been excluded by any treaty from commerce with any part of the king of Spain's dominions, it was still as lawful for them to trade with his settlements in either Indies, as with his European territories. In consequence of this ambiguity, many adventurers from England sailed to the Spanish Indies, and met with severe punishment when caught; as they, on the other hand, often stole, and when superior to the trade with the inhabitants, and resisted, nay sometimes plundered the Spanish governors. Violences of this nature, which had been carried to a great height on both sides, it was agreed to bury in total oblivion; because of the difficulty which was found in remedying them, upon any fixed principles.

But as there appeared a great difference between private adventurers in single ships, and a fleet acting under a royal commission, Raleigh's companions thought it safest to return immediately to England, and carry him along with them to answer for his conduct. It appears that he employed many artifices, first to engage them to attack the Spanish settlements, and, failing of that, to make his escape into France: but all these proving unsuccessful, he was delivered into the king's hands, and strictly examined, as well as his fellow adventurers, before the privy council. The council, upon inquiry, found no difficulty in pronouncing, that the former suspicions, with regard to Raleigh's intentions, had been well grounded; that he had abused the king in the representations which he had made of his projected adventure; that, contrary to his instructions, he had acted in an offensive and hostile manner against his majesty's allies; and that he had wilfully burned and destroyed a town belonging to the king of Spain. He might have been tried, either by common law for this act of violence and piracy, or by martial law for breach of orders: but it was an established principle among lawyers,¹ that as he lay under an actual attainder for high treason, he could not be brought to a new trial for any other crime. To satisfy, therefore, the court of Spain, which raised the loudest complaints against him, the king made use of that power which he had purposely reserved in his own hands, and signed the warrant for his execution upon his former sentence. [See note KK, at the end of this Vol.]

RALEIGH'S EXECUTION. Oct. 29.

RALEIGH, finding his fate inevitable, collected all his courage : and though he had formerly made use of many mean artifices, such as feigning madness, sickness, and a variety of diseases, in order to protract his examination and procure his escape, he now resolved to act his part with bravery and resolution. *'Tis a sharp remedy,* he said, *but a sure one, for all ills,* when he felt the edge of the axe by which he was to be beheaded.² His harangue to the people was calm and eloquent ; and he endeavoured to revenge himself, and to load his enemies with the public hatred, by strong asseverations of facts, which, to say the least, may be esteemed very doubtful.³ With the utmost indifference, he laid his head upon the block, and received the fatal blow ; and in his death there appeared the same great, but ill-regulated mind, which, during his life, had displayed itself in all his conduct and behaviour.

No measure of James's reign was attended with more public dissatisfaction than the punishment of sir Walter Raleigh. To execute a sentence which was originally so hard, which had been so long suspended, and which seemed to have been tacitly pardoned, by conferring on him a new trust and commission, was deemed an instance of cruelty and injustice. To sacrifice, to a concealed enemy of England, the life of the only man in the nation who had a high reputation for valour and military experience, was regarded as meanness and indiscretion : and the intimate connections which the king was now entering into with Spain, being universally distasteful, rendered this proof of his complaisance still more invidious and unpopular.

James had entertained an opinion, which was peculiar to himself, and which had been adopted by none of his predecessors, that any alliance, below that of a great king, was unworthy of a prince of Wales ; and he never would allow any princess but a daughter of France or Spain to be mentioned as a match for his son.⁴ This instance of pride, which really implies meanness, as if he could receive honour from any alliance, was so well known, that Spain had founded on it the hopes of governing, in the most important transactions, this monarch, so little celebrated for politics or prudence. During the life of Henry, the king of Spain had dropped some hints of bestowing on that prince his eldest daughter, whom he afterwards disposed of in marriage to the young king of France, Lewis XIII. At that time the views of the Spaniards were to engage James into a neutrality with regard to the succession of Cleves, which was disputed between the protestant and popish line :⁵ but the bait did not then take ; and James, in consequence of his alliance with the Dutch,

and with Henry IV. of France, marched⁶ four thousand men, under the command of sir Edward Cecil, who joined these two powers, and put the marquis of Brandenburg and the palatine of Newbourg in possession of that duchy.

Gondomar was, at this time, the Spanish ambassador in England ; a man whose flattery was the more artful, because covered with the appearance of frankness and sincerity ; whose politics were the more dangerous, because disguised under the mask of mirth and pleasantry. He now made offer of the second daughter of Spain to prince Charles ; and, that he might render the temptation irresistible to the necessitous monarch, he gave hopes of an immense fortune, which should attend the princess. The court of Spain, though determined to contract no alliance with a heretic,⁷ entered into negotiations with James, which they artfully protracted, and, amidst every disappointment, they still redoubled his hopes of success.⁸ The transactions in Germany, so important to the Austrian greatness, became every day a new motive for this duplicity of conduct.

INSURRECTIONS IN BOHEMIA.

In that great revolution of manners which happened during the sixteenth and seventeenth centuries, the only nations who had the honourable, though often melancholy advantage, of making an effort for their expiring privileges, were such as, together with the principles of civil liberty, were animated with a zeal for religious parties and opinions. Besides the irresistible force of standing armies, the European princes possessed this advantage, that they were descended from the ancient royal families ; that they continued the same appellations of magistrates, the same appearance of civil government ; and restraining themselves by all the forms of legal administration, could insensibly impose the yoke on their unguarded subjects. Even the German nations, who had formerly broke the Roman chains, and restored liberty to mankind, now lost their own liberty, and saw with grief, the absolute authority of their princes firmly established among them. In their circumstances, nothing but a pious zeal, which disregards all motives of human prudence, could have made them entertain hopes of preserving any longer those privileges which their ancestors, through so many ages, had transmitted to them.

As the house of Austria, throughout all her extensive dominions, had ever made religion the pretence for her usurpations, she now met with resistance from a like principle ; and the catholic religion, as usual, had ranged itself on the side of monarchy ; the protestant, on that of liberty. The states of Bohemia having taken arms against the emperor Matthias,

continued their revolt against his successor Ferdinand, and claimed the observance of all the edicts enacted in favour of the new religion, together with the restoration of their ancient laws and constitution. The neighbouring principalities, Silesia, Moravia, Lusatia, Austria, even the kingdom of Hungary, took part in the quarrel; and throughout all these populous and martial provinces, the spirit of discord and civil war had universally diffused itself.⁹

1619. Ferdinand II. who possessed more vigour and greater abilities, though not more lenity and moderation, than are usual with the Austrian princes, strongly armed himself for the recovery of his authority; and, besides employing the assistance of his subjects, who professed the ancient religion, he engaged on his side a powerful alliance of the neighbouring potentates. All the catholic princes of the empire had embraced his defence; even Saxony, the most powerful of the protestant; Poland had declared itself in his favour;¹⁰ and, above all, the Spanish monarch, deeming his own interest closely connected with that of the younger branch of his family, prepared powerful succours from Italy, and from the Low Countries; and he also advanced large sums for the support of Ferdinand and of the catholic religion.

The states of Bohemia, alarmed at these mighty preparations, began also to solicit foreign assistance; and, together with that support which they obtained from the evangelical union in Germany, they endeavoured to establish connexions with greater princes. They cast their eyes on Frederic, elector palatine. They considered, that, besides commanding no despicable force of his own, he was son-in-law to the king of England, and nephew to prince Maurice, whose authority was become almost absolute in the United Provinces. They hoped that these princes, moved by the connexions of blood, as well as by the tie of their common religion, would interest themselves in all the fortunes of Frederic, and would promote his greatness. They therefore made him a tender of their crown, which they considered as elective; and the young palatine, stimulated by ambition, without consulting either James¹¹ or Maurice, whose opposition he foresaw, immediately accepted the offer, and marched all his forces into Bohemia, in support of his new subjects.

The news of these events no sooner reached England, than the whole kingdom was on fire to engage in the quarrel. Scarcely was the ardour greater, with which all the states of Europe, in former ages, flew to rescue the Holy Land from the dominion of infidels. The nation was, as yet, sincerely attached to the blood of their monarchs, and they considered their connexion with the palatine, who had married

a daughter of England, as very close and intimate; and when they heard of catholics carrying on wars and persecutions against protestants, they thought their own interest deeply concerned, and regarded their neutrality as a base desertion of the cause of God, and of his holy religion. In such a quarrel, they would gladly have marched to the opposite extremity of Europe, have plunged themselves into a chaos of German politics, and have expended all the blood and treasure of the nation, by maintaining a contest with the whole house of Austria, at the very time, and in the very place, in which it was the most potent, and almost irresistible.

But James, besides that his temper was too little enterprising for such vast undertakings, was restrained by another motive, which had a mighty influence over him: he refused to patronize the revolt of subjects against their sovereign. From the very first he denied to his son-in-law the title of king of Bohemia.¹² he forbade him to be prayed for in the churches under that appellation: and though he owned that he had nowise examined the pretensions, privileges, and constitution of the revolted states,¹³ so exalted was his idea of the rights of kings, that he concluded subjects must ever be in the wrong, when they stood in opposition to those who had acquired or assumed that majestic title. Thus, even in measures founded on true politics, James intermixed so many narrow prejudices, as diminished his authority, and exposed him to the imputation of weakness and of error.

LOSS OF THE PALATINATE. 1620.

MEANWHILE affairs every where hastened to a crisis. Ferdinand levied a great force, under the command of the duke of Bavaria and the count of Bucquoy; and advanced upon his enemy in Bohemia. In the Low Countries, Spinola collected a veteran army of thirty thousand men. When Edmonds, the king's resident at Brussels, made remonstrances to the archduke Albert, he was answered, that the orders for this armament had been transmitted to Spinola from Madrid, and that he alone knew the secret destination of it. Spinola again told the minister, that his orders were still sealed; but, if Edmonds would accompany him in his march to Coblenz, he would there open them, and give him full satisfaction.¹⁴ It was more easy to see his intentions, than to prevent their success. Almost at one time, it was known in England that Frederic, being defeated in the great and decisive battle of Prague, had fled with his family into Holland, and that Spinola had invaded the Palatinate, and, meeting with no resistance, except from some princes of the union, and from one English regiment of 2400 men, commanded

by the brave sir Horace Vere,¹⁵ had, in a little time, reduced the greater part of that principality.

High were now the murmurs and complaints against the king's neutrality and unactive disposition. The happiness and tranquillity of their own country became distasteful to the English, when they reflected on the grievances and distresses of their protestant brethren in Germany. They considered not, that their interposition in the wars of the continent, though agreeable to religious zeal, could not, at that time, be justified by any sound maxims of politics; that, however exorbitant the Austrian greatness, the danger was still too distant to give any just alarm to England; that mighty resistance would yet be made by so many potent and warlike princes and states in Germany, ere they would yield their neck to the yoke; that France, now engaged to contract a double alliance with the Austrian family, must necessarily be soon roused from her lethargy, and oppose the progress of so hated a rival; that in the farther advance of conquests, even the interests of the two branches of that ambitious family must interfere, and beget mutual jealousy and opposition; that a land-war, carried on at such a distance, would waste the blood and treasure of the English nation, without any hopes of success; that a sea-war, indeed, might be both safe and successful against Spain, but would not affect the enemy in such vital parts as to make them stop their career of success in Germany, and abandon all their acquisitions; and that the prospect of recovering the Palatinate being at present desperate, the affair was reduced to this simple question, whether peace and commerce with Spain, or the uncertain hopes of plunder and of conquest in the Indies, were preferable? a question which, at the beginning of the king's reign, had already been decided, and perhaps with in favour of the former advantages.

NEGOTIATIONS WITH SPAIN.

JAMES might have defended his pacific measures by such plausible arguments: but these, though the chief, seem not to have been the sole motives which swayed him. He had entertained the notion, that, as his own justice and moderation had shone out so conspicuously throughout all these transactions, the whole he of Austria, though not awed by the power of England, would willingly, from mere respect to his virtue, submit themselves to so equitable an arbitration. He flattered himself that, after he had formed an intimate connexion with the Spanish monarch, by means of his son's marriage, the restitution of the Palatinate might be procured, from the motive alone of friendship and personal at-

tachment. He perceived not, that his unactive virtue, the more it was extolled, the greater disregard was it exposed to. He was not sensible that the Spanish match was itself attended with such difficulties, that all his art of negotiation would scarcely be able to surmount them; much less, that this match could in good policy be depended on, as the means of procuring such extraordinary advantages. His unwarlike disposition, increased by age, rivetted him still faster in his errors, and determined him to seek the restoration of his son-in-law, by remonstrances and entreaties, by arguments and embassies, rather than by blood and violence. And the same defect of courage which held him in awe of foreign nations, made him likewise afraid of shocking the prejudices of his own subjects, and kept him from openly avowing the measures which he was determined to pursue. Or, perhaps, he hoped to turn these prejudices to account, and, by their means, engage his people to furnish him with a ^{sum} of which their excessive frugality had hitherto made them so sparing and reserved.¹⁶

A PARLIAMENT. June 16, 1621.

He first tried the expedient of a benevolence or free-gift from individuals; pretending the urgency of the case, which would not admit of leisure for any other measure: but the jealousy of liberty was now roused, and the nation regarded these pretended benevolences as real extortions, contrary to law, and dangerous to freedom, however authorised by ancient precedent. A parliament was found to be the only resource which could furnish any large supplies; and writs were accordingly issued for summoning that great council of the nation. [*See note LL, at the end of this Vol.*]

In this parliament there appeared, at first, nothing but duty and submission on the part of the commons; and they seemed determined to sacrifice every thing, in order to maintain a good correspondence with their prince. They would allow no mention to be made of the new customs or impositions, which had been so eagerly disputed in the former parliament:¹⁷ the imprisonment of the members of that parliament was here, by some, complained of; but, by the authority of the graver and more prudent part of the house, that grievance was buried in oblivion:¹⁸ and, being informed that the king had remitted several considerable sums to the palatine, the commons, without a negative, voted him two subsidies,¹⁹ and that too, at the very beginning of the session, contrary to the maxims frequently adopted by their predecessors.

Afterwards, they proceeded, but in a very temperate manner, to the examination of grievances. They found, that patents had

been granted to sir Giles Mompesson and sir Francis Michel, for licensing inns and ale-houses; that great sums of money had been exacted, under pretext of these licenses; and that such inn-keepers as presumed to continue their business, without satisfying the rapacity of the patentees, had been severely punished by fine, imprisonment, and vexatious prosecutions.

The same persons had also procured a patent, which they shared with sir Edward Villiers, brother to Buckingham, for the sole making of gold and silver thread and lace, and had obtained very extraordinary powers for preventing any rivalry in these manufactures: they were armed with authority to search for all goods, which might interfere with their patent; and even to punish, at their own will and discretion, the makers, importers, and venders of such commodities. Many had grievously suffered by this exorbitant jurisdiction; and the lace which had been manufactured by the patentees was universally found to be adulterated, and to be composed more of copper than of the precious metals.

These grievances the commons represented to the king; and they met with a very gracious and very cordial reception. He seemed even thankful for the information given him; and declared himself ashamed, that such abuses, unknowingly to him, had crept into his administration. "I assure you," said he, "had I before heard these things complained of, I would have done the office of a just king, and out of parliament have punished them, as severely, and peradventure more, than you now intend to do."²⁰ A sentence was passed for the punishment of Michel and Mompesson.²¹ It was executed on the former. The latter broke prison and escaped. Villiers was, at that time, sent purposely on a foreign employment; and his guilt being less enormous, or less apparent, than that of the others, he was the more easily protected by the credit of his brother Buckingham.²²

FALL OF BACON.

ENCOURAGED by this success, the commons carried their scrutiny, and still with a respectful hand, into other abuses of importance. The great seal was, at that time, in the hands of the celebrated Bacon, created viscount St. Alban's; a man universally admired for the greatness of his genius, and beloved for the courteousness and humanity of his behaviour. He was the great ornament of his age and nation; and nought was wanting to render him the ornament of human nature itself, but that strength of mind which might check his intemperate desire of preferment, that could add nothing to his dignity, and might restrain his profuse inclination to expence, that could

be requisite neither for his honour nor entertainment. His want of economy, and his indulgence to servants, had involved him in necessities; and, in order to supply his prodigality, he had been tempted to take bribes, by the title of presents, and that in a very open manner, from suitors in chancery. It appears that it had been usual for former chancellors to take presents; and it is pretended that Bacon, who followed the same dangerous practice, had still, in the seat of justice, preserved the integrity of a judge, and had given just decrees against those very persons, from whom he had received the wages of iniquity. Complaints rose the louder on that account, and at last reached the house of commons, who sent up an impeachment against him to the peers. The chancellor, conscious of guilt, deprecated the vengeance of his judges, and endeavoured, by a general avowal, to escape the confusion of a stricter inquiry. The lords insisted on a particular confession of all his corruptions. He acknowledged twenty-eight articles; and was sentenced to pay a fine of 40,000 pounds, to be imprisoned in the Tower during the king's pleasure, to be forever incapable of any office, place, or employment, and never again to sit in parliament, or come within the verge of the court.

This dreadful sentence, dreadful to a man of nice sensibility to honour, he survived five years; and, being released in a little time from the Tower, his genius, yet unbroken, supported itself amidst involved circumstances and a depressed spirit, and shone out in literary productions, which have made his guilt or weaknesses be forgotten or overlooked by posterity. In consideration of his great merit, the king remitted his fine, as well as all the other parts of his sentence, conferred on him a large pension of 1800 pounds a year, and employed every expedient to alleviate the weight of his age and misfortunes. And that great philosopher, at last, acknowledged with regret, that he had too long neglected the true ambition of a fine genius; and by plunging into business and affairs, which require much less capacity, but greater firmness of mind, than the pursuits of learning, had exposed himself to such grievous calamities.²³

The commons had entertained the idea, that they were the great patrons of the people, and that the redress of all grievances must proceed from them; and to this principle they were chiefly beholden for the regard and consideration of the public. In the execution of this office, they now kept their ears open to complaints of every kind; and they carried their researches into many grievances, which, though of no great importance, could not be touched on, without sensibly affecting the king and his ministers. The prerogative seemed every moment to be invaded; the king's

authority, in every article, was disputed; and James, who was willing to correct the abuses of his power, would not submit to have his power itself questioned and denied. After the house, therefore, had sitt'n near six months, and had, as yet, brought no considerable business to a full conclusion, the king resolved, under pretence of the advanced season to interrupt their proceedings; and he sent them word, that he was determined, in a little time, to adjourn them till next winter. The commons made application to the lords, and desired them to join in a petition for delaying the adjournment; which was refused by the upper house. The king regarded this project of a joint petition as an attempt to force him from his measures: he thanked the peers for their refusal to concur in it, and told them, that, if it were their desire, he would delay the adjournment, but would not so far comply with the request of the lower house.²⁴ And thus, in these great national affairs, the same peevishness, which, in private altercations, often raises a quarrel from the smallest beginnings, produced a mutual coldness and disgust between the king and the commons.

RUPTURE BETWEEN THE KING AND THE COMMONS.

DURING the recess of parliament, the king used every measure to render himself popular with the nation, and to appease the rising ill-humour of its representatives. He had voluntarily offered the parliament to circumscribe his own prerogative, and to abrogate for the future his power of granting monopolies. He now recalled all the patents of that kind, and redressed every article of grievance, to the number of thirty-seven, which had ever been complained of in the house of commons.²⁵ But he gained not the end which he proposed. The disgust, which had appeared at parting, could not so suddenly be dispelled. He had likewise been so imprudent as to commit to prison sir Edwin Sandys,²⁶ without any known cause, besides his activity and vigour in discharging his duty as a member of parliament. And, above all, the transactions in Germany were sufficient, when joined to the king's cautions, negotiations, and delays, to inflame that jealousy of honour and religion which prevailed throughout the nation.²⁷ This summer, the ban of the empire had been published against the elector palatine; and the execution of it was committed to the duke of Bavaria.²⁸ The Upper Palatinate was, in a little time, conquered by that prince; and measures were taking in the empire for bestowing on him the electoral dignity, of which the palatine was then despoiled. Frederic now lived with his numerous family, in poverty and distress, either in Holland or at Sedan, with his uncle the

duke of Bonillon; and throughout all the new conquests, in both the Palatinates, as well as in Bohemia, Austria, and Lusatia, the progress of the Austrian arms was attended with rigours and severities, exercised against the professors of the reformed religion.

The zeal of the commons immediately moved them, upon their assembling, on the 4th of November, to take all these transactions into consideration. They framed a remonstrance, which they intended to carry to the king. They represented, that the enormous growth of the Austrian power threatened the liberties of Europe; that the progress of the catholic religion in England bred the most melancholy apprehensions lest it should again acquire an ascendant in the kingdom; that the indulgence of his majesty toward the professors of that religion had encouraged their insolence and temerity; that the uncontrolled conquests, made by the Austrian family in Germany, raised mighty expectations in the English papists; but above all, that the prospect of the Spanish match elevated them so far as to hope for an entire toleration, if not the final re-establishment of their religion. The commons, therefore, entreated his majesty that he would immediately undertake the defence of the palatine, and maintain it by force of arms; that he would turn his sword against Spain, whose armies and treasures were the chief support of the catholic interest in Europe; that he would enter into no negotiation for the marriage of his son but with a protestant princess; that the children of popish recusants should be taken from their parents, and be committed to the care of protestant teachers and schoolmasters; and that the fines and confiscations, to which the catholics were by law liable, should be levied with the utmost severity.²⁹

By this bold step, unprecedented in England for many years, and scarcely ever heard of in peaceable times, the commons attacked at once all the king's favourite maxims of government; his cautious and pacific measures, his lenity towards the Romish religion, and his attachment to the Spanish alliance, &c. &c. which he promised himself such mighty advantages. But what most disgusted him was, their seeming invasion of his prerogative, and their pretending, under colour of advice, to direct his conduct in such points as had ever been acknowledged to belong solely to the management and direction of the sovereign. He was, at that time, absent at Newmarket; but as soon as he heard of the intended remonstrance of the commons, he wrote a letter to the speaker, in which he sharply rebuked the house for openly debating matters far above their reach and capacity, and he strictly forbade them to meddle with any thing that regarded his government, or deep matters of

state, and especially not to touch on his son's marriage with the daughter of Spain, nor to attack the honour of that king, or any other of his friends and confederates. In order the more to intimidate them, he mentioned the imprisonment of sir Edwin Sandys; and though he denied that the confinement of that member had been owing to any offence committed in the house, he plainly told them, that he thought himself fully entitled to punish every misdemeanour in parliament, as well during its sitting as after its dissolution; and that he intended thereforeward to chastise any man, whose insolent behaviour there should minister occasion of offence.³⁰

This violent letter, in which the king, though he here imitated former precedents, may be thought not to have acted altogether on the defensive, had the effect which might naturally have been expected from it: the commons were inflamed, not terrified. Secure of their own popularity, and of the bent of the nation towards a war with the catholics abroad, and the persecution of popery at home, they little dreaded the menaces of a prince who was unsupported by military force, and whose gentle temper would, of itself, so soon disarm his severity. In a new remonstrance, therefore, they still insisted on their former remonstrance and advice; and they maintained, though in respectful terms, that they were entitled to interpose with their counsel in all matters of government; that, to possess entire freedom of speech, in their debates on public business, was their ancient and undoubted right, and an inheritance transmitted to them from their ancestors; and that, if any member abused this liberty, it belonged to the house alone, who were witnesses of his offence, to inflict a proper censure upon him.³¹

So vigorous an answer was nowise calculated to appease the king. It is said, when the approach of the committee who were to present it was notified to him, he ordered twelve chairs to be brought: for that there were so many kings a coming.³² His answer was prompt and sharp. He told the house, that their remonstrance was more like a denunciation of war than an address of dutiful subjects; that their pretension to inquire into all state affairs, without exception, was such a plenipotency as none of their ancestors, even during the reign of the weakest princes, had ever pretended to; that public transactions depended on a complication of views and intelligence, with which they were entirely unacquainted; that they could not better show their wisdom, as well as duty, than by keeping within their proper sphere;³³ and that, in any business which depended on his prerogative, they had no title to interpose with their advice, except when he was pleased to desire it. And he concluded with these memorable words: *And though we*

*cannot allow of your style, in mentioning your ancient and undoubted right and inheritance, but would rather have wished that ye had said, that your privileges were derived from the grace and permission of our ancestors and us (for the most of them grew from precedents, which shows rather a toleration than inheritance): yet we are pleased to give you our royal assurance, that as long as you contain yourselves within the limits of your duty, we will be as careful to maintain and preserve your lawful liberties and privileges as ever any of our predecessors were, nay, as to preserve our own royal prerogative.*³⁴

PROTESTATION OF THE COMMONS.

THIS open pretension of the king's naturally gave great alarm to the house of commons. They saw their title to every privilege, if not plainly denied, yet considered at least as precarious. It might be forfeited by abuse, and they had already abused it. They thought proper, therefore, immediately to oppose pretension to pretension. They framed a protestation (18th Dec.), in which they repeated all their former claims for freedom of speech, and an unbounded authority to interpose with their advice and counsel. And they asserted, *That the liberties, franchises, privileges, and jurisdictions of parliament, are the ancient and undoubted birthright and inheritance of the subjects of England.*—[See *note MM*, at the end of this *Vol*.

The king, informed of these increasing heats and jealousies in the house, hurried to town. He sent immediately for the journals of the commons; and, with his own hand, before the council, he tore out this protestation;³⁵ and ordered his reasons to be inserted in the council-book. He was doubly displeased, he said, with the protestation of the lower house, on account of the manner of framing it, as well as of the matter which it contained. It was tumultuously voted, at a late hour, and in a thin house; and it was expressed in such general and ambiguous terms, as might serve for a foundation to the most enormous claims, and to the most unwarrantable usurpations upon his prerogative.³⁶

The meeting of the house might have proved dangerous after so violent a breach. It was no longer possible, while men were in such a temper, to finish any business. The king, therefore, prorogued the parliament, and soon after dissolved it by proclamation; in which he also made an apology to the public for his whole conduct.

The leading members of, the house, sir Edward Coke and sir Robert Philips, were committed to the Tower; Selden, Pym, and Mallory, to other prisons.³⁷ As a lighter punishment, sir Dudley Digges, sir Thomas Crew,

sir Nathaniel Rich, sir James Perrot, joined in commission with others, were sent to Ireland, in order to execute some business.³⁸ The king, at that time, enjoyed, at least exercised, the prerogative of employing any man, even without his consent, in any branch of public service.

Sir John Savile, a powerful man in the house of commons, and a zealous opponent of the court, was made comptroller of the household, a privy counsellor, and soon after a baron.³⁹ This event is memorable; as being the first instance, perhaps, in the whole history of England, of any king's advancing a man on account of parliamentary interest, and of opposition to his measures. However irregular this practice, it will be regarded by political reasoners, as one of the most early and most infallible symptoms of a regular established liberty.

The king, having thus, with so rash and indiscreet a hand, torn off that sacred veil which had hitherto covered the English constitution, and which threw an obscurity upon it so advantageous to royal prerogative, every man began to indulge himself in political reasonings and inquiries; and the same factions which commenced in parliament were propagated throughout the nation. In vain did James, by reiterated proclamations, forbid the discoursing of state affairs.⁴⁰ Such proclamations, if they had any effect, served rather to inflame the curiosity of the public. And, in every company or society, the late transactions became the subject of argument and debate.

Altho' history, said the partisans of the court, as well as the history of England, justify the king's position with regard to the origin of popular privileges; and every reasonable man must allow, that as monarchy is the most simple form of government, it must first have occurred to rude and uninstructed mankind. The other complicated and artificial additions were the successive invention of sovereigns and legislators; or, if they were obtruded on the prince by seditious subjects, their origin must appear, on that very account still more precarious and unfavourable. In England, the authority of the king, in all the exterior forms of government, and in the common style of law, appears totally absolute and sovereign; nor does the real spirit of the constitution, as it has ever discovered itself in practice, full much short of these appearances. The parliament is created by his will; by his will it is dissolved. It is his will alone, though at the desire of both houses, which gives authority to laws. To all foreign nations, the majesty of the monarch seems to merit sole attention and regard. And no subject, who has exposed himself to royal indignation, can hope to live with safety in the kingdom; nor can he even leave it, according to law, without

the consent of his master. If a magistrate, environed with such power and splendour, should consider his authority as sacred, and regard himself as the anointed of heaven, his pretensions may bear a very favourable construction. Or, allowing them to be merely pious frauds, we need not be surprised, that the same stratagem which was practised by Minos, Numa, and the most celebrated legislators of antiquity, should now, in these restless and inquisitive times, be employed by the king of England. Subjects are not raised above that quality, though assembled in parliament. The same humble respect and deference is still due to their prince. Though he indulges them in the privilege of laying before him their domestic grievances, with which they are supposed to be best acquainted, this warrants not their bold intrusion into every province of government. And, to all judicious examiners, it must appear, "That the lines of duty are as much transgressed by a more independent and less respectful exercise of acknowledged powers, as by the usurpation of such as are new and unusual."

The lovers of liberty, throughout the nation, reasoned after a different manner. It is in vain, said they, that the king traces up the English government to its first origin, in order to represent the privileges of parliament as dependent and precarious: prescription, and the practice of so many ages, must, long ere this time, have given a sanction to these assemblies, even though they had been derived from an origin no more dignified than that which he assigns them. If the written records of the English nation, as asserted, represent parliaments to have arisen from the consent of monarchs, the principles of human nature, when we trace government a step higher, must show us that monarchs themselves owe all their authority to the voluntary submission of the people. But in fact, no age can be shown, when the English government was altogether an unmixed monarchy: and, if the privileges of the nation have, at any period, been overpowered by violent irruptions of foreign force or domestic usurpation, the generous spirit of the people has ever seized the first opportunity of re-establishing the ancient government and constitution. Though in the style of the laws, and in the usual forms of administration, royal authority may be represented as sacred and supreme; whatever is essential to the exercise of sovereign and legislative power must still be regarded as equally divine, and inviolable. Or, if any distinction be made in this respect, the preference is surely due to those national councils, by whose interposition the exorbitances of tyrannical power are restrained, and that sacred liberty is preserved, which heroic spirits, in all ages, have deemed more precious than life itself. Nor is it

sufficient to say, that the mild and equitable administration of James affords little occasion, or no occasion, of complaint. How moderate soever the exercise of his prerogative, how exact soever his observance of the laws and constitution; "If he founds his authority on arbitrary and dangerous principles, it is requisite to watch him with the same care, and to oppose him with the same vigour, as if he had indulged himself in all the excesses of cruelty and tyranny."

Amidst these disputes, the wise and moderate in the nation endeavoured to preserve, as much as possible, an equitable neutrality between the opposite parties; and the more they reflected on the course of public affairs, the greater difficulty they found in fixing just sentiments with regard to them. On the one hand, they regarded the very rise of parties as a happy prognostic of the establishment of liberty; nor could they ever expect to enjoy, in a mixed government, so invaluable a blessing, without suffering that inconvenience, which, in such governments, has ever attended it. But when they considered, on the other hand, the necessary aims and pursuits of both parties, they were struck with apprehension of the consequences, and could discover no feasible plan of accommodation between them.

From long practice, the crown was now possessed of so exorbitant a prerogative, that it was not sufficient for liberty to remain on the defensive, or endeavour to secure the little ground which was left her: it was become necessary to carry on an offensive war, and to circumscribe, within more narrow, as well as more exact bounds, the authority of the sovereign. Upon such provocation, it could not but happen, that the prince, however just and moderate, would endeavour to repress his opponents; and as he stood upon the very brink of arbitrary power, it was to be feared that he would, hastily and unknowingly, pass those limits, which were not precisely marked by the constitution. The turbulent government of England, ever fluctuating between privilege and prerogative, would afford a variety of precedents, which might be pleaded on both sides. In such delicate questions, the people must be divided: the arms of the state were still in their hands: a civil war must ensue; a civil war where no party or both parties would justly bear the blame, and where the good and virtuous would scarcely know what vows to form; were it not that liberty, so necessary to the perfection of human society, would be sufficient to bias their affections towards the side of its defenders.

NOTES.

1 See this matter discussed in *Bac Letters*, published by Dr. Birch, p.

2 *Franklyn*, p. 32.

ner, that he had nowise contributed to Essex's death: but the last letter in *Murden's Collection* contains the strongest proof of the contrary.

Kennet, p. 703. 748.

Rushworth, vol. i. p. 2.

In 1610.

La Boderie, vol. ii. p. 30.

Franklyn, p. 71.

Rushworth, vol. i. p. 7, 8.

Rushworth, vol. i. p. 13, 14.

Franklyn, p. 49.

Rushworth, vol. i. p. 12, 13.

Franklyn, p. 48.

Franklyn, p. 44. *Rushworth*, vol. i.

p. 14.

Franklyn, p. 42, 43. *Rushworth*, vol. i.

p. 15. *Kennet*, p. 723.

Franklyn, p. 47. *Rushworth*, vol. i.

p. 21.

Journ. 5 Dec. 1621.

Journ. 12, 16 Feb. 1620.

Journ. 16 Feb. 1620.

Franklyn, p. 52. *Rushworth*, vol. i.

p. 27.

Yelverton, the attorney-general, was accused by the commons for drawing the patents for these monopolies, and for supporting them. He apologised for himself, that he was forced by Buckingham and that he supposed it to be the

king's pleasure. The lords

thought it right to the attorney-general,

the king, 5000 £ to the duke. The fines,

afterwards remitted.

Franklyn, p. 55. *Rushworth*, vol. i.

p. 31, 32, &c.

1 It is thought, that appeals from chancery to the house of peers first came into practice, when Baron held the great seal. Appeals, under the form of writs of error, had long before lain against the courts of law. *Blackstone's Commentary*, vol. iii. p. 454.

1 *Rushworth*, vol. i. p. 27.

2 *Rushworth*, vol. i. p. 36. *Kennet*,

p. 733.

3 *Journ.* 1 Dec. 1621.

7 To show to what degree the nation was

inflamed with regard to the palatine, there occurs a remarkable story this

season. One Floyd, a prisoner in the Fleet, a catholick, had dropped some ex-

pressions, in private conversation, as if

he were pleased with the misfortune of

the palatine and his wife. The com-

mons were in a flame, and, pretending

to be a court of judicature and of re-

cord, proceeded to condemn him to a

severe punishment. The house of

lords checked this encroachment; and,

what was extraordinary, considering the

present humour of the lower house, the

latter acquiesced in the sentiments of

the peers. This is almost the only pre-

tension of the English commons, in which they have not prevailed. Happily for the nation, they have been successful in almost all their other claims. See *Parliamentary History*, vol. v. p. 428, 429, &c. *Journ.* 4, 8, 12 May 1621.

28 *Franklyn*, p. 73.

29 *Franklyn*, p. 58, 59. *Rushworth*, vol.

p. 40, 41. *Kennet*, p. 736.

30 *Franklyn*, p. 60. *Rushworth*, vol.

p. 41. *Kennet*, p. 741.

31 *Franklyn*, p. 60. *Rushworth*, vol. i.

p. 44. *Kennet*, p. 741.

32 *Kennet*, p. 43.

33 *Ne sutor ultra crepidam*. This expres-

sion is imagined to be insolent and dis-

obliging: but it was a Latin proverb

familiarly used on all occasions.

vol. i. p. 46, 47, &c. *Kennet*, p. 743.

35 *Journ.* 18 Dec. 1621.

36 *Franklyn*, p. 67.

37 *Franklyn*, p. 66. *Rushworth*, vol. i.

p. 55.

38 *Franklyn*, p. 66. *Rushworth*, vol. i.

p. 55.

39 *Kennet*, p. 749.

40 *Franklyn*, p. 56. *Rushworth*, vol. i.

p. 21, 36, 55. The king also, in imi-

tation of his predecessors, gave rules to

preachers. *Franklyn*, p. 70. The pul-

pit was at that time much more dan-

gerous than the press. Few people could

read, and still fewer were in the practice

of reading.

CHAPTER XLIX.

Negotiations with regard to the Marriage and the Palatinate.—Character of Buckingham.—Prince's Journey to Spain.—Marriage Treaty broken.—A Parliament.—Return of Bristol.—Rupture with Spain.—Treaty with France.—Mansfeldt's Expedition.—Death of the King—His Character.

NEGOTIATIONS WITH REGARD TO THE MARRIAGE AND THE PALATINATE.

1622.

TO wrest the Palatinate from the hands of the emperor and the duke of Bavaria, must always have been regarded as a difficult task for the power of England, conducted by so unwarlike a prince as James: it was plainly impossible, while the breach subsisted between him and the commons. The king's negotiations, therefore, had they been managed with ever so great dexterity, must now carry less weight with them; and it was easy to glude all his applications. When lord Digby, his ambassador to the emperor, had desired a cessation of hostilities, he was referred to the duke of Bavaria, who commanded the Austrian armies. The duke of Bavaria told him, that it was entirely superfluous to form any treaty for that purpose. *Hostilities are already ceased, said he; and I doubt not but I shall be able to prevent their revival by keeping firm possession of the Palatinate, till a final agreement shall be concluded between the contending parties.*¹ Notwithstanding this insult, James endeavoured to resume with the emperor a treaty of accommodation; and he opened the negotiations at Brussels, under the mediation of arch-duke Albert; and after his death, which happened about this time, under that of the Infanta: when the conferences were entered upon, it was found, that the powers of these princes to determine in the controversy were not sufficient or satisfactory. Schwartzembourg, the Imperial minister, was expected at London; and it was hoped that he would bring more ample authority: his commission referred entirely to the negotiation at Brussels. It was not difficult for the king to perceive, that his applications were neglected by the emperor; but as he had no choice of any other expedient, and it seemed the interest of his son-in-law to keep alive his pretensions, he was still content to follow Ferdinand through all his shifts and evasions. Nor was he entirely discouraged, even when the Imperial diet at Ratisbon, by the influence or rather authority of the emperor, though contrary to the protestation of Saxony, and of all the protestant princes and cities, had transferred the electoral

dignity from the palatine to the duke of Bavaria.

Meanwhile the efforts made by Frederic, for the recovery of his dominions, were vigorous. Three armies were levied in Germany by his authority, under three commanders, duke Christian of Brunswick, the prince of Baden Dourlach, and count Mansfeldt. The two former generals were defeated by count Tilly and the Imperialists: the third, though much inferior in force to his enemies, still maintained the war; but with no equal supplies of money either from the palatine or the king of England. It was chiefly by pillage and free quarters in the Palatinate, that he subsisted his army. As the Austrians were regularly paid, they were kept in more exact discipline; and James justly became apprehensive, lest so unequal a contest, besides ravishing the palatine's hereditary dominions, would end in the total alienation of the people's affections from their ancient sovereign, by whom they were plundered, and in an attachment to their new masters, by whom they were protected.² He persuaded therefore his son-in-law to disarm, under colour of duty and submission to the emperor: and accordingly, Mansfeldt was dismissed from the palatine's service; and that famous general withdrew his army into the Low Countries, and there received a commission from the States of the United Provinces.

To show how little account was made of James's negotiations abroad, there is a pleasantry mentioned by all historians, which, for that reason, shall have a place here. In a farce, acted at Brussels, a courier was introduced carrying the doleful news that the Palatinate would soon be wrested from the house of Austria; so powerful were the succours which, from all quarters were hastening to the relief of the despoiled elector: the king of Denmark had agreed to contribute to his assistance a hundred thousand pickled herrings, the Dutch a hundred thousand butter-boxes, and the king of England a hundred thousand ambassadors. On other occasions, he was painted with a scabbard, but without a sword; or with a sword, which nobody could draw, though several were pulling at it.³

It was not from his negotiations with the emperor or the duke of Bavaria, that James

expected any success in his project of restoring the palatine: his eyes were entirely turned towards Spain; and if he could effect his son's marriage with the Infanta, he doubted not but that, after so intimate a conjunction, this other point could easily be obtained. The negotiations of that court being commonly dilatory, it was not easy for a prince of so little penetration in business, to distinguish whether the difficulties which occurred, were real or affected; and he was surprised, after negotiating five years on so simple a demand, that he was not more advanced than at the beginning. A dispensation from Rome was requisite for the marriage of the Infanta with a protestant prince; and the king of Spain, having undertaken to procure that dispensation, had thereby acquired the means of retarding at pleasure, or of forwarding the marriage, and at the same time of concealing entirely his artifices from the court of England.

In order to remove all obstacles, James dispatched Digby, soon after created earl of Bristol, as his ambassador to Philip IV. who had lately succeeded his father in the crown of Spain. He secretly employed Gage as his agent at Rome; and finding that the difference of religion was the principal, if not the sole difficulty, which retarded the marriage, he resolved to soften that objection as much as possible. He issued public orders for discharging all popish recusants who were imprisoned; and it was daily apprehended that he would forbid, for the future, the execution of the penal laws enacted against them. For this step, so opposite to the rigid spirit of his subjects, he took care to apologize; and he even endeavoured to ascribe it to his great zeal for the reformed religion. He had been making applications, he said, to all foreign princes for some indulgence to the distressed protestants; and he was still answered by objections derived from the severity of English laws against catholics.⁴ It might indeed occur to him, that if the extremity of religious zeal were ever to abate among christian sects, one of them must begin; and nothing would be more honourable for England, than to have led the way in sentiments so wise and moderate.

Not only the religious puritans murmured at this tolerating measure of the king: the lovers of civil liberty were alarmed at so important an exertion of prerogative. But, among other dangerous articles of authority, the kings of England were at that time possessed of the dispensing power; at least were in the constant practice of exercising it. Besides, though the royal prerogative in civil matters was then extensive, the princes, during some late reigns, had been accustomed to assume a still greater in ecclesiastical. And the king failed not to represent the toleration of catholics as a measure entirely of that nature.

By James's concession in favour of the catholics, he attained his end. The same religious motives which had hitherto rendered the court of Madrid insincere in all the steps taken with regard to the marriage, were now the chief cause of promoting it. By its means, it was there hoped the English catholics would for the future enjoy ease and indulgence; and the Infanta would be the happy instrument of procuring to the church some tranquillity, after the many severe persecutions which it had hitherto undergone. The earl of Bristol, a minister of vigilance and penetration, and who had formerly opposed all alliance with catholics,⁵ was now fully convinced of the sincerity of Spain; and he was ready to congratulate the king on the entire completion of his views and projects.⁶ A daughter of Spain, whom he represents as extremely accomplished, would soon, he said, arrive in England, and bring with her an immense fortune of two millions of pieces of eight, or six hundred thousand pounds sterling; a sum four times greater than Spain had ever before given with any princess, and almost equal to all the money which the parliament, during the whole course of this reign, had hitherto granted to the king. But what was of more importance to James's honour and happiness, Bristol considered this match as an infallible prognostic of the palatine's restoration; nor would Philip, he thought, ever have bestowed his sister and so large a fortune under the prospect of entering next day into a war with England. So exact was his intelligence, that the most secret counsels of the Spaniards, he boasts, had never escaped him;⁷ and he found that they had all along considered the marriage of the Infanta and the restitution of the Palatinate as measures closely connected, or altogether inseparable.⁸ However little calculated James's character to extort so vast a concession; however improper the measures which he had pursued for attaining that end; the ambassador could not withstand the plain evidence of facts, by which Philip now demonstrated his sincerity. Perhaps too, like a wise man, he considered, that reasons of state, which are supposed solely to influence the councils of monarchs, are not always the motives which there predominate; that the milder views of gratitude, honour, friendship, generosity, are frequently able among princes, as well as private persons, to counterbalance these selfish considerations; that the justice and moderation of James had been so conspicuous in all these transactions, his reliance on Spain, his confidence in her friendship, that he had at last obtained the cordial alliance of that nation, so celebrated for honour and fidelity. Or if politics must still be supposed the ruling motive of all public measures, the maritime power of England was so considerable, and the Spanish

dominions so divided, as might well induce the council of Philip to think that a sincere friendship with the masters of the sea could not be purchased by too great concessions.⁹ And as James, during so many years, had been allured and seduced by hopes and protestations, his people enraged by delays and disappointments; it would probably occur, that there was now no medium left between the most inveterate hatred and the most intimate alliance between the nations. Not to mention, that, as a new spirit began about this time to animate the councils of France, the friendship of England became every day more necessary to the greatness and security of the Spanish monarch.

All measures being, therefore, agreed on between the parties, nought was wanting but the dispensation from Rome, which might be considered as a mere formality.¹⁰ The king, justified by success, now exulted in his pacific counsels, and boasted of his superior sagacity and penetration; when all these flattering prospects were blasted by the temerity of a man, whom he had fondly exalted from a private condition, to be the bane of himself, of his family, and of his people.

CHARACTER OF BUCKINGHAM. 1623.

EVER since the fall of Somerset, Buckingham had governed, with an uncontrolled sway, both the court and nation; and could James's eyes have been opened, he had now full opportunity of observing how unfit his favourite was for the high station to which he was raised. Some accomplishments of a courtier he possessed: of every talent of a minister he was utterly destitute. Headstrong in his passions, and incapable equally of prudence and of dissimulation: sincere from violence rather than candour; expensive from profusion more than generosity: a warm friend, a furious enemy; but without any choice or discernment in either: with these qualities he had early and quickly mounted to the highest rank; and partook at once of the insolence which attends a fortune newly acquired, and the impetuosity which belongs to persons born in high stations, and unacquainted with opposition.

Among those who had experienced the arrogance of this overgrown favourite, the prince of Wales himself had not been entirely spared; and a great coldness, if not an enmity, had, for that reason, taken place between them. Buckingham, desirous of an opportunity, which might connect him with the prince and overcome his aversion, and at the same time envious of the great credit acquired by Bristol in the Spanish negotiation, be thought himself of an expedient, by which he might at once gratify both these inclinations. He represented to Charles, that persons of his

exalted station were peculiarly unfortunate in their marriage, the chief circumstance in life; and commonly received into their arms a bride, unknown to them, to whom they were unknown; not endeared by sympathy, not obliged by service; wooed by treaties alone, by negotiations, by political interest: that however accomplished the Infanta, she must consider herself as a melancholy victim of state, and could not but think with aversion of that day, when she was to enter the bed of a stranger; and, passing into a foreign country and a new family, bid adieu for ever to her father's house, and to her native land: that it was in the prince's power to soften all these rigours, and lay such an obligation on her, as would attach the most indifferent temper, as would warm the coldest affections: that his journey to Madrid would be an unexpected allantry, which would equal all the fictitious Spanish romance, and suiting the amorous and enterprising character of that nation, must immediately introduce him to the princess under the agreeable character of a devoted lover and daring adventurer: that the negotiations with regard to the Palatinate, which had hitherto languished in the hands of ministers, would quickly be terminated by so illustrious an agent, seconded by the mediation and intreaties of the grateful Infanta: that Spanish generosity, moved by that unexampled trust and confidence, would make concessions beyond what could be expected from political views and considerations: and that he would quickly return to the king with the glory of having re-established the unhappy palatine, by the same enterprise which procured him the affections and the person of the Spanish princess.¹¹

The mind of the young prince, replete with candour, was inflamed by these generous and romantic ideas, suggested by Buckingham. He agreed to make application to the king for his approbation. They chose the moment of his kindest and most jovial humour; and more by the earnestness which they expressed, than by the force of their reasons, they obtained a hasty and unguarded consent to their undertaking. And having engaged his promise to keep their purpose secret, they left him, in order to make preparations for the journey.

No sooner was the king alone, than his temper, more cautious than sanguine, suggested very different views of the matter, and represented every difficulty and danger which could occur. He reflected, that, however the world might pardon this sally of youth in the prince, they could never forgive himself, who, at his years, and after his experience, could intrust his only son, the heir of his crown, the prop of his age, to the discretion of foreigners, without so much as providing the frail security of a safe-conduct in his favour: that if the

Spanish monarch were sincere in his professions, a few months must finish the treaty of marriage, and bring the Infanta into England; if he were not sincere, the folly was still more egregious of committing the prince into his hands: that Philip, when possessed of so invaluable a pledge, might well rise in his demands, and impose harder conditions of treaty: and that the temerity of the enterprise was so apparent, that the event, how prosperous soever, could not justify it; and if disastrous, it would render himself infamous to his people and ridiculous to all posterity.¹²

Tormented with these reflections, as soon as the prince and Buckingham returned for their dispatches, he informed them of all the reasons which had determined him to change his resolution; and he begged them to desist from so foolish an adventure. The prince received the disappointment with sorrowful submission and silent tears: Buckingham presumed to speak in an imperious tone, which he had ever experienced to be prevalent over his too easy master. He told the king, that nobody for the future would believe any thing he said, when he retracted so soon the promise so solemnly given; that he plainly discerned this change of resolution to proceed from another breach of his word, in communicating the matter to some rascal, who had furnished him with those pitiful reasons which he had alleged, and he doubted not but he should hereafter know who his counsellor had been; and that if he receded from what he had promised, it would be such a disobligation to the prince, who had now set his heart upon the journey, after his majesty's approbation, that he could never forget it, nor forgive any man who had been the cause of it.¹³

The king, with great earnestness, fortified by many oaths, made his apology, by denying that he had communicated the matter to any; and finding himself assailed, as well by the boisterous importunities of Buckingham, as by the warmest entreaties of his son, whose applications had hitherto, on other occasions, been always dutiful, never earnest; he had again the weakness to assent to their purposed journey. It was agreed that sir Francis Cottington alone, the prince's secretary, and Endymion Porter, gentleman of his bed-chamber, should accompany them; and the former being at that time in the ante-chamber, he was immediately called in by the king's orders.

James told Cottington, that he had always been an honest man, and therefore he was now to trust him in an affair of the highest importance, which he was not, upon his life, to disclose to any man whatever. "Cottington," added he, "here is baby Charles and Stenny," (these ridiculous appellations he usually gave to the prince and Buckingham,) "who have a great mind to go post into Spain,

and fetch home the Infanta: they will have but two more in their company, and have chosen you for one. What think you of the journey?" Sir Francis, who was a prudent man, and had resided some years in Spain as the king's agent, was struck with all the obvious objections to such an enterprise, and scrupled not to declare them. The king threw himself upon his bed, and cried, *I told you this before*; and fell into a new passion and new lamentations, complaining that he was undone, and should lose baby Charles.

The prince showed by his countenance, that he was extremely dissatisfied with Cottington's discourse: but Buckingham broke out into an open passion against him. The king, he told him, asked him only of the journey, and of the manner of travelling; particulars, of which he might be a competent judge, having gone the road so often by post; but that he, without being called to it, had the presumption to give his advice upon matters of state and against his master, which he should repent as long as he lived. A thousand other reproaches he added, which put the poor king into a new agony in behalf of a servant, who, he foresaw, would suffer for answering him honestly. Upon which he said with some emotion, *Nay, by God, Stenny, you are much to blame for using him so: he answered me directly to the question which I asked him, and very honestly and wisely; and yet, you know, he said no more than I told you before he was called in*. However, after all this passion on both sides, James renewed his consent, and proper directions were given for the journey. Nor was he at any loss to discover, that the whole intrigue was originally contrived by Buckingham, as well as pursued violently by his spirit and impetuosity.

These circumstances, which so well characterise the persons, seem to have been related by Cottington to lord Clarendon, from whom they are here transcribed; and though minute, are not undeserving of a place in history.

THE PRINCE'S JOURNEY TO SPAIN.

March 9.

THE prince and Buckingham, with their two attendants, and sir Richard Graham, master of horse to Buckingham, passed disguised and undiscovered through France; and they even ventured into a court-hall at Paris, where Charles saw the princess Henrietta, whom he afterwards espoused, and who was at that time in the bloom of youth and beauty. In eleven days after their departure from London, they arrived at Madrid; and surprised every body by a step so unusual among great princes. The Spanish monarch immediately paid Charles a visit, expressed the utmost gratitude for the confidence reposed in him,

and made warm protestations of a correspondent confidence and friendship. By the most studious civilities, he showed the respect which he bore to his royal guest. He gave him a golden key, which opened all his apartments, that the prince might, without any introduction, have access to him at all hours: he took the left hand of him on every occasion, except in the apartments assigned to Charles; for there, he said, the prince was at home: Charles was introduced into the palace with the same pomp and ceremony that attends the kings of Spain on their coronation: the council received public orders to obey him as the king himself: Olivarez too, though a grandee of Spain, who has the right of being covered before his own king, would not put on his hat in the prince's presence:¹⁴ all the prisons of Spain were thrown open, and all the prisoners received their freedom, as if the event, the most honourable and most fortunate, had happened to the monarchy:¹⁵ and every sumptuary law with regard to apparel was suspended during Charles's residence in Spain. The Infanta, however, was only shown to her lover in public; the Spanish ideas of decency being so strict, as not to allow of any farther intercourse, till the arrival of the dispensation.¹⁶

The point of honour was carried so far by that generous people, that no attempt was made, on account of the advantage which they had acquired, of imposing any harder conditions of treaty: their pious zeal only prompted them, on one occasion, to desire more concessions in the religious articles; but, upon the ~~opposition~~ of Bristol, accompanied with some reproaches, they immediately desisted. The pope, however, hearing of the prince's arrival in Madrid, tacked some new clauses to the dispensation;¹⁷ and it became necessary to transmit the articles to London, that the king might ratify them. This treaty, which was made public, consisted of several articles, chiefly regarding the exercise of the catholic religion by the Infanta and her household. Nothing could reasonably be found fault with, except one article, in which the king promised, that the children should be educated by the princess, till ten years of age. This condition could not be insisted on, but with a view of seasoning their minds with catholic principles; and though so tender an age seemed a sufficient security against theological prejudices, yet the same reason which made the pope insert that article, should have induced the king to reject it.

Besides the public treaty, there were separate articles, privately sworn to by the king; in which he promised to suspend the penal laws enacted against catholics, to procure a repeal of them in parliament; and to grant a toleration for the exercise of the catholic religion in private houses.¹⁸ Great murmurs, we

may believe, would have arisen against these articles, had they been made known to the public; since we find it to have been imputed as an enormous crime to the prince, that, having received, about this time, a very civil letter from the pope, he was induced to return a very civil answer.¹⁹

Meanwhile Gregory XV. who granted the dispensation, died, and Urban VIII. was chosen in his place. Upon this event, the nuncio refused to deliver the dispensation, till it should be renewed by Urban; and that crafty pontiff delayed sending a new dispensation, in hopes that, during the prince's residence in Spain, some expedient might be fallen upon to effect his conversion. The king of England, as well as the prince became impatient. On the first hint, Charles obtained permission to return; and Philip graced his departure with all the circumstances of elaborate civility and respect, which had attended his reception. He even erected a pillar on the spot where they took leave of each other, as a monument of mutual friendship; and the prince, having sworn to the observance of all the articles, entered on his journey, and embarked on board the English fleet at St. Andero.

The character of Charles, composed of decency, reserve, modesty, sobriety; virtues so agreeable to the manners of the Spaniards; the unparallelled confidence which he had reposed in their nation; the romantic gallantry which he had practised towards their princess; all these circumstances, joined to his youth and advantageous figure, had endeared him to the whole court of Madrid, and had impressed the most favourable ideas of him.²⁰ But, in the same proportion that the prince was beloved and esteemed, was Buckingham despised and hated. His behaviour, composed of English familiarity and French vivacity; his sallies of passion, his indecent freedoms with the prince, his dissolute pleasures, his arrogant, impetuous temper, which he neither could nor cared to disguise; qualities like these, could, most of them, be esteemed no where, but to the Spaniards were the objects of peculiar aversion.²¹ They could not conceal their surprise, that such a youth could intrude into a negotiation now conducted to a period by so accomplished a minister as Bristol, and could assume to himself all the merit of it. They lamented the Infanta's fate, who must be approached by a man, whose temerity seemed to respect no laws, divine or human.²² And when they observed, that he had the imprudence to insult the Condé duke of Olivarez, their prime minister, every one, who was ambitious of paying court to the Spanish, became desirous of showing a contempt for the English favourite.

The duke of Buckingham told Olivarez, that his own attachment to the Spanish nation and to the king of Spain was extreme; that he

would contribute to every measure which could cement the friendship between England and them; and that his peculiar ambition would be to facilitate the prince's marriage with the Infanta. But, he added, with a sincerity equally insolent and indiscreet, *With regard to you, sir, in particular, you must not consider me as your friend, but must ever expect from me all possible enmity and opposition.* The Condé duke replied, with a becoming dignity, that he very willingly accepted of what was proffered him: and on these terms the favourites parted.²³

Buckingham, sensible how odious he was become to the Spaniards, and dreading the influence which that nation would naturally acquire after the arrival of the Infanta, resolved to employ all his credit in order to prevent the marriage. By what arguments he could engage the prince to offer such an insult to the Spanish nation, from whom he had met with such generous treatment; by what colours he could disguise the ingratitude and imprudence of such a measure; these are totally unknown to us. We may only conjecture, that the many unavoidable causes of delay, which had so long prevented the arrival of the dispensation, had afforded to Buckingham a pretence for throwing on the Spaniards the imputation of insincerity in the whole treaty. It also appears, that his impetuous and domineering character had acquired, what it ever after maintained, a total ascendancy over the gentle and modest temper of Charles, and, when the prince left Madrid, he was firmly determined, notwithstanding all his professions, to break off the treaty with Spain.

It is not likely that Buckingham prevailed so easily with James to abandon a project, which, during so many years, had been the object of all his wishes, and which he had now unexpectedly conducted to a happy period.²⁴ A rupture with Spain, the loss of two millions, were prospects little agreeable to this pacific and indigent monarch. But, finding his only son bent against a match, which had always been opposed by his people and his parliament, he yielded to the difficulties which he had not courage or strength of mind sufficient to overcome. The prince therefore, and Buckingham, on their arrival at London, assumed entirely the direction of the negotiation, and it was their business to seek for pretences, by which they could give a colour to their intended breach of treaty.

Though the restitution of the Palatinate had ever been considered by James as a natural or necessary consequence of the Spanish alliance, he had always forbidden his ministers to insist on it as a preliminary article to the conclusion of the marriage treaty. He considered, that this principality was now in the hands of the emperor and the duke of Bavaria; and that it

was no longer in the king of Spain's power, by a single stroke of his pen, to restore it to its ancient master. The strict alliance of Spain with these princes would engage Philip, he thought, to soften so disagreeable a demand by every art of negotiation; and many articles must of necessity be adjusted, before such an important point could be effected. It was sufficient, in James's opinion, if the sincerity of the Spanish court could, for the present, be ascertained; and, dreading farther delays of the marriage, so long wished for, he was resolved to trust the palatine's full restoration to the event of future counsels and deliberations.²⁵

MARRIAGE TREATY BROKEN.

THIS whole system of negotiation Buckingham now reversed; and he overturned every supposition upon which the treaty had hitherto been conducted. After many fruitless artifices were employed to delay or prevent the espousals, Bristol received positive orders not to deliver the proxy, which had been left in his hands, or to finish the marriage, till security were given for the full restitution of the Palatinate.²⁶ Philip understood this language. He had been acquainted with the disgust received by Buckingham; and deeming him a man capable of sacrificing to his own ungovernable passions, the greatest interests of his master and of his country, he had expected, that the unbounded credit of that favourite would be employed to embroil the two nations. Determined, however, to throw the blame of the rupture entirely on the English, he delivered into Bristol's hand a written promise, by which he bound himself to procure the restoration of the Palatinate, either by persuasion, or by every other possible means; and, when he found that this concession gave no satisfaction, he ordered the Infanta to lay aside the title of princess of Wales, which she bore after the arrival of the dispensation from Rome, and to drop the study of the English language.²⁷ And thinking that such rash counsels, as now governed the court of England, would not stop at the breach of the marriage treaty, he ordered preparations for war immediately to be made throughout all his dominions.²⁸

Thus James, having, by means inexplicable from the ordinary rules of politics, conducted so near an honourable period, the marriage of his son, and the restoration of his son-in-law, failed at last of his purpose, by means equally unaccountable.

But, though the expedients already used by Buckingham were sufficiently inglorious both for himself and for the nation, it was necessary for him, ere he could fully effect his purpose, to employ artifices still more dishonourable.

1624. The king, having broken with Spain, was obliged to concert new measures; and,

without the assistance of parliament, no effectual step of any kind could be taken. The benevolence, which, during the interval, had been rigorously exacted for recovering the Palatinate, though levied for so popular an end, had procured to the king less money than ill-will from his subjects.²⁹ Whatever discouragements, therefore, he might receive from his ill agreement with former parliaments, there was a necessity of summoning once more this assembly: and it might be hoped, that the Spanish alliance, which gave such umbrage, being abandoned, the commons would now be better satisfied with the king's administration. In his speech to the houses (19th Feb.), James dropped some hints of his cause of complaint against Spain; and he graciously condescended to ask the advice of parliament, which he had ever before rejected, with regard to the conduct of so important an affair as his son's marriage.³⁰ Buckingham delivered, to a committee of lords and commons, a long narrative, which he pretended to be true and complete, of every step taken in the negotiations with Philip: but partly by the suppression of some facts, partly by the false colouring laid on others, this narrative was calculated entirely to mislead the parliament, and to throw on the court of Spain the reproach of artifice and insincerity. He said that, after many years negotiation, the king found not himself any nearer his purpose; and that Bristol had never brought the treaty beyond general professions and declarations: that the prince, doubting the good intentions of Spain, resolved at last to take a journey to Madrid, and put the matter to the utmost trial: that he there found such artificial dealing as made him conclude all the steps taken towards the marriage to be false and deceitful: that the restitution of the Palatinate, which had ever been regarded by the king as an essential preliminary, was not seriously intended by Spain: and that, after enduring much bad usage, the prince was obliged to return to England, without any hopes, either of obtaining the Infanta, or of restoring the elector palatine.³¹

This narrative, which, considering the importance of the occasion, and the solemnity of that assembly to which it was delivered, deserves great blame, was yet vouched for truth by the prince of Wales, who was present; and the king himself lent it, indirectly, his authority, by telling the parliament that it was by his orders Buckingham laid the whole affair before them. The conduct of these princes it is difficult fully to excuse. It is in vain to plead the youth and inexperience of Charles; unless his inexperience and youth, as is probable, [See note N, at the end of *this Vol.*] if not certain, really led him into error, and made him swallow all the fables of Buckingham. And though the king was

here hurried from his own measures by the impetuosity of others; nothing should have induced him to prostitute his character, and seem to vouch the impostures, at least false colourings, of his favourite, of which he had so good reason to entertain a suspicion.³²

Buckingham's narrative, however artfully disguised, contained so many contradictory circumstances, as were sufficient to open the eyes of all reasonable men; but it concurred so well with the passions and prejudices of the parliament, that no scruple was made of immediately adopting it.³³ Charmed with having obtained at length the opportunity, so long wished for, of going to war with papists, they little thought of future consequences; but immediately advised the king to break off both treaties with Spain, as well that which regarded the marriage, as that for the restitution of the Palatinate.³⁴ The people, ever greedy of war till they suffer by it, displayed their triumph at these violent measures by public bonfires and rejoicings, and by insults on the Spanish ministers. Buckingham was now the favourite of the public, and of the parliament. Sir Edward Coke, in the house of commons, called him the saviour of the nation.³⁵ Every place resounded with his praises. And he himself, intoxicated by a popularity which he enjoyed so little time, and which he so ill deserved, violated all duty to his indulgent master, and entered into cabals with the puritanical members, who had ever opposed the royal authority. He even encouraged schemes for abolishing the order of bishops, and selling the dean and chapter lands, in order to defray the expences of a Spanish war. And the king, though he still entertained projects for temporising, and for forming an accommodation with Spain, was so borne down by the torrent of popular prejudices, conducted and increased by Buckingham, that he was at last obliged, in a speech to parliament, to declare in favour of hostile measures, if they would engage to support him.³⁶ Doubts of their sincerity in this respect, doubts which the event showed not to be ill-grounded, had probably been one cause of his former pacific and dilatory measures.

In his speech on this occasion, the king began with lamenting his own unhappiness, that, having so long valued himself on the epithet of the pacific monarch, he should now, in his old age, be obliged to exchange the blessings of peace for the inevitable calamities of war. He represented to them the immense and continued expence requisite for military armaments; and besides supplies, from time to time, as they should become necessary, he demanded a vote of six subsidies and twelve fifteenths, as a proper stock before the commencement of hostilities. He told them of his intolerable debts, chiefly contracted by the

sums remitted to the palatine [See note OO, at the end of this Vol.]; but he added, that he did not insist on any supply for his own relief, and that it was sufficient for him, if the honour and security of the public were provided for. To remove all suspicion, he, who had ever strenuously maintained his prerogative, and who had even extended it in some points esteemed doubtful, now made an imprudent concession, of which the consequences might have proved fatal to royal authority: he voluntarily offered, that the money voted should be paid to a committee of parliament, and should be issued by them, without being intrusted to his management.³⁷ The commons willingly accepted of this concession, so unusual in an English monarch; they voted him only three subsidies and three fifteenths:³⁸ and they took no notice of the complaints which he made of his own wants and necessities.

Advantage was also taken of the present good agreement between the king and parliament, in order to pass the bill against monopolies, which had formerly been encouraged by the king, but which had failed by the rupture between him and the last house of commons. This bill was conceived in such terms as to render it merely declaratory; and all monopolies were condemned as contrary to law and to the known liberties of the people. It was there supposed, that every subject of England had entire power to dispose of his own actions, provided he did no injury to any of his fellow subjects, and that no prerogative of the king, no power of any magistrate, nothing but the authority alone of laws, could restrain that unlimited freedom. The full prosecution of this noble principle into all its natural consequences, has at last, through many contests, produced that singular and happy government which we enjoy at present. [See note PP, at the end of this Vol.]

The house of commons also corroborated, by a new precedent, the important power of impeachment, which, two years before, they had exercised in the case of chancellor Bacon, and which had lain dormant for near two centuries, except when they served as instruments of royal vengeance. The earl of Middlesex had been raised, by Buckingham's interest, from the rank of a London merchant, to be treasurer of England; and, by his activity and address, seemed not unworthy of that preferment. But, as he incurred the displeasure of his patron, by scrupling or refusing some demands of money, during the prince's residence in Spain, that favourite vowed revenge, and employed all his credit among the commons to procure an impeachment of the treasurer. The king was extremely dissatisfied with this measure, and prophesied to the prince and duke, that they would live to have their fill of parliamentary prosecutions.³⁹ In a speech to the

parliament, he endeavoured to apologize for Middlesex, and to soften the accusation against him.⁴⁰ The charge, however, was still maintained by the commons; and the treasurer was found guilty by the peers, though the misdemeanors proved against him were neither numerous nor important. The accepting of two presents of five hundred pounds a-piece, for passing two patents was the article of greatest weight. His sentence was, to be fined 50,000 pounds for the king's use, and to suffer all the other penalties formerly inflicted upon Bacon. The fine was afterwards remitted by the prince, when he mounted the throne.

This session an address was also made, very disagreeable to the king, craving the severe execution of the laws against catholics. His answer was gracious and condescending;⁴¹ though he declared against persecution, as being an improper measure for the suppression of any religion, according to the received maxim, *That the blood of the martyrs was the seed of the church*. He also condemned an entire indulgence of the catholics; and seemed to represent a middle course as the most humane and most politic. He went so far as even to affirm, with an oath, that he never had entertained any thoughts of granting a toleration to these religionists.⁴² The liberty of exercising their worship in private houses, which he had secretly agreed to in the Spanish treaty, did not appear to him deserving that name; and it was probably by means of this explication, he thought that he had saved his honour. And as Buckingham, in his narrative,⁴³ confessed that the king had agreed to a temporary suspension of the penal laws against the catholics, which he distinguished from a toleration—a term at that time extremely odious—James naturally deemed his meaning to be sufficiently explained, and feared not any reproach of falsehood or duplicity, on account of this asseveration. After all these transactions, the parliament was prorogued by the king (29th May), who let fall some hints, though in gentle terms, of the sense which he entertained of their unkindness, in not supplying his necessities.⁴⁴

James, unable to resist so strong a combination as that of his people, his parliament, his son, and his favourite, had been compelled to embrace measures, for which, from temper as well as judgment, he had ever entertained a most settled aversion. Though he dissembled his resentment, he began to estrange himself from Buckingham, to whom he ascribed all those violent counsels, and whom he considered as the author both of the prince's journey to Spain, and of the breach of the marriage treaty. The arrival of Bristol he impatiently longed for; and it was by the assistance of that minister, whose wisdom he respected, and whose views he approved, that he hoped in time

to extricate himself from his present difficulties.

RETURN OF BRISTOL.

DURING the prince's abode in Spain, that able negotiator had ever opposed, though unsuccessfully, to the impetuous measures suggested by Buckingham, his own wise and well-tempered counsels. After Charles's departure, he still, upon the first appearance of a change of resolution, interposed his advice, and strenuously insisted on the sincerity of the Spaniards in the conduct of the treaty, as well as the advantages which England must reap from the completion of it. Enraged to find that his successful labours should be rendered abortive by the levities and caprices of an insolent minion, he would understand no hints; and nothing but express orders from his master could engage him to make that demand which he was sensible must put a final period to the treaty. He was not therefore surprised to hear that Buckingham had declared himself his open enemy, and, on all occasions, had thrown out many violent reflections against him.

Nothing could be of greater consequence to Buckingham, than to keep Bristol at a distance both from the king and the parliament; lest the power of truth, enforced by so well-informed a speaker, should open scenes, which were but suspected by the former, and of which the latter had as yet entertained no manner of jealousy. He applied therefore to James, at so weak a man, disguised to himself under the appearance of finesse and dissimulation, was now become absolutely incurable. A warrant for sending Bristol to the Tower was issued immediately upon his arrival in England;⁴⁵ and though he was soon released from confinement, yet orders were carried him from the king, to retire to his country seat, and to abstain from all attendance in parliament. He obeyed; but loudly demanded an opportunity of justifying himself, and of laying his whole conduct before his master. On all occasions he protested his innocence, and threw on his enemy the blame of every miscarriage. Buckingham, and, at his instigation, the prince, declared, that they would be reconciled to Bristol, if he would but acknowledge his errors and ill-conduct: but the spirited nobleman, jealous of his honour, refused to buy favour at so high a price. James had the equity to say, that the insisting on that condition was a strain of unexampled tyranny: but Buckingham scrupled not to assert, with his usual presumption, that neither the king, the prince, nor himself, were as yet satisfied of Bristol's innocence.⁴⁶

While the attachment of the prince to Buckingham, while the timidity of James, or

the shame of changing his favourite, kept the whole court in awe; the Spanish ambassador, Inoiosa, endeavoured to open the king's eyes, and to cure his fears by instilling greater fears into him. He privately slipped into his hand a paper, and gave him a signal to read it alone. He there told him, that he was as much a prisoner at London as ever Francis I. was at Madrid; that the prince and Buckingham had conspired together, and had the whole court at their devotion; that cabals among the popular leaders were trying to the extreme prejudice of his authority; that the project was to confine him to some of his hunting seats, and to commit the whole administration to Charles; and that it was necessary for him, by one vigorous effort, to vindicate his authority, and to punish those who had so long and so much abused his friendship and beneficence.⁴⁷

RUPTURE WITH SPAIN.

WHAT credit James gave to this representation does not appear. He only discovered some faint symptoms, which he instantly retracted, of dissatisfaction with Buckingham. All his public measures, and all the alliances into which he entered, were founded on the system of enmity to the Austrian family, and of war to be carried on for the recovery of the Palatinate.

The states of the United Provinces were, at this time, governed by Maurice; and that aspiring prince, sensible that his credit would languish during peace, had, on the expiration of the twelve years' truce, renewed the war with the Spanish monarchy. His great capacity in the military art would have compensated the inferiority of his forces, had not the Spanish armies been commanded by Spinola, a general equally renowned for conduct, and more celebrated for enterprise and activity. In such a situation, nothing could be more welcome to the republic than the prospect of a rupture between James and the catholic king; and they flattered themselves, as well from the natural union of interests between them and England, as from the influence of the present conjuncture, that powerful succours would soon march to their relief. Accordingly, an army of six thousand men was levied in England, and sent over to Holland, commanded by four young noblemen, Essex, Oxford, Southampton, and Willoughby, who were ambitious of distinguishing themselves in so popular a cause, and of acquiring military experience under so renowned a captain as Maurice.

TREATY WITH FRANCE.

It might reasonably have been expected, that, as religious zeal had made the recovery

of the Palatinate appear a point of such vast importance in England; the same effect must have been produced in France, by the force merely of political views and considerations. While that principality remained in the hands of the house of Austria, the French dominions were surrounded on all sides by the possessions of that ambitious family, and might be invaded by superior forces from every quarter. It concerned the king of France, therefore, to prevent the peaceable establishment of the emperor in his new conquests; and both by the situation and greater power of his state, he was much better enabled than James to give succour to the distressed palatine.⁴⁸ But though these views escaped not Louis, nor cardinal Richlieu, who now began to acquire an ascendant in the French court; that minister was determined to pave the way for his enterprises by first subduing the Hugonots, and thence to proceed, by mature counsels, to humble the house of Austria. The prospect, however, of a conjunction with England was presently embraced, and all imaginable encouragement was given to every proposal for conciliating a marriage between Charles and the princess Henrietta.

Notwithstanding the sensible experience, which James might have acquired, of the unsurmountable antipathy entertained by his subjects against an alliance with catholics, he still persevered in the opinion, that his son would be degraded by receiving into his bed a princess of less than royal extraction. After the rupture, therefore, with Spain, nothing remained but an alliance with France; and to that court he immediately applied himself.⁴⁹ The same allurments had not here place, which had so long entangled him in the Spanish negotiation: the portion promised was much inferior; and the peaceable restoration of the palatine could not thence be expected. But James was afraid lest his son should be altogether disappointed of a bride; and therefore, as soon as the French king demanded for the honour of his crown, the same terms which had been granted to the Spanish, he was prevailed with to comply. And as the prince, during his abode in Spain, had given a verbal promise to allow the Infanta the education of her children till the age of thirteen, this article was here inserted in the treaty; and to that imprudence is generally imputed the present distressed condition of his posterity. The court of England, however, it must be confessed, always pretended, even in their memorials to the French court, that all the favourable conditions granted to the catholics, were inserted in the marriage treaty merely to please the pope, and that their strict execution was, by an agreement with France, secretly dispensed with. [See note XX., at the end of this Vol.]

As much as the conclusion of the marriage treaty was acceptable to the king, as much were all the military enterprises disagreeable, both from the extreme difficulty of the undertaking in which he was engaged, and from his own incapacity for such a scene of action.

During the Spanish negotiation, Heidelberg and Mannheim had been taken by the Imperial forces; and Frankendale, though the garrison was entirely English, was closely besieged by them. After reiterated remonstrances from James, Spain interposed, and procured a suspension of arms during eighteen months. But as Frankendale was the only place of Frederic's ancient dominions which was still in his hands, Ferdinand, desirous of withdrawing his forces from the Palatinate, and of leaving that state in security, was unwilling that so important a fortress should remain in the possession of the enemy. To compromise all differences, it was agreed to sequester it into the hands of the Infanta as a neutral person; upon condition that, after the expiration of the truce, it should be delivered to Frederic; though peace should not, at that time, be concluded between him and Ferdinand.⁵⁰ After the unexpected rupture with Spain, the Infanta, when James demanded the execution of the treaty, offered him peaceable possession of Frankendale, and even promised a safe conduct for the garrison through the Spanish Netherlands: but there was some territory of the empire interposed between her state and the Palatinate; and for passage over that territory, no terms were stipulated.⁵¹ By this chicanery, which certainly had not been employed if unity with Spain had been preserved, the palatine was totally dispossessed of his patrimonial dominions.

MANSFELDT'S EXPEDITION.

THE English nation, however, and James's warlike council, were not discouraged. It was still determined to re-conquer the Palatinate; a state lying in the midst of Germany, possessed entirely by the emperor and duke of Bavaria, surrounded by potent enemies, and cut off from all communication with England. Count Mansfeldt was taken into pay; and an English army of twelve thousand foot and two hundred horse was levied by a general press throughout the kingdom. During the negotiation with France, vast promises had been made, though in general terms, by the French ministry; not only that a free passage should be granted to the English troops, but that powerful succours should also join them in their march towards the Palatinate. In England, all these professions were hastily interpreted to be positive engagements. The troops under Mansfeldt's command were embarked at Dover in December; but, upon sailing over to

Calais, found no orders yet arrived for their admission. After waiting in vain during some time, they were obliged to sail towards Zealand; where it had also been neglected to concert proper measures for their disembarkation; and some scruples arose among the States on account of the scarcity of provisions. Meanwhile a pestilential distemper crept in among the English forces, so long cooped up in narrow vessels. Half the army died while on board; and the other half, weakened by sickness, appeared too small a body to march into the Palatinate.⁵².....1625. And thus ended this ill-concerted and fruitless expedition; the only disaster which happened to England during the prosperous and pacific reign of James.

DEATH OF THE KING.

THAT reign was now drawing towards a conclusion. With peace so successfully cultivated, and so passionately loved by this monarch, his life also terminated. This spring he was seized with a tertian ague; and, when encouraged by his courtiers with the common proverb, that such a distemper, during that season, was health for a king, he replied, that the proverb was meant of a young king. After some fits, he found himself extremely weakened, and sent for the prince, whom he exhorted to bear a tender affection for his wife, but to preserve a constancy in religion; to protect the church of England; and to extend his care towards the unhappy family of the palatine.⁵³ With decency and courage he prepared himself for his end; and he expired on the twenty-seventh of March, after a reign over England of twenty-two years and some days; and in the fifty-ninth year of his age. His reign over Scotland was almost of equal duration with his life. In all history, it would be difficult to find a reign less illustrious, yet more unspotted and unblemished, than that of James in both kingdoms.

HIS CHARACTER.

No prince, so little enterprising, and so inoffensive, was ever so much exposed to the opposite extremes of calumny and flattery, of satire and panegyric. And the factions, which began in his time, being still continued, have made his character be as much disputed to this day, as is commonly that of princes who are our contemporaries. Many virtues, however, it must be owned, he was possessed of; but scarce any of them pure, or free from the contagion of the neighbouring vices. His generosity bordered on profusion, his learning on pedantry, his pacific disposition on pusillanimity, his wisdom on cunning, his friendship on light fancy and boyish fondness.

While he imagined that he was only maintaining his own authority, he may perhaps be suspected in a few of his actions, and still more of his pretensions, to have somewhat encroached on the liberties of his people: while he endeavoured, by an exact neutrality, to acquire the good-will of all his neighbours, he was able to preserve fully the esteem and regard of none. His capacity was considerable; but fitter to discourse on general maxims than to conduct any intricate business: his intentions were just; but more adapted to the conduct of private life, than to the government of kingdoms. Awkward in his person and ungainly in his manners, he was ill qualified to command respect; partial and undiscerning in his affections, he was little fitted to acquire general love. Of a feeble temper more than of a frail judgment: exposed to our ridicule from his vanity; but exempt from our hatred by his freedom from pride and arrogance. And upon the whole, it may be pronounced of his character, that all his qualities were sullied with weakness and embellished by humanity. Of political courage he certainly was destitute; and thence chiefly is derived the strong prejudice which prevails against his personal bravery, an inference, however, which must be owed, from general experience, to be extremely fallacious.

He was only once married, to Anne of Denmark, who died on the 3d of March, 1619, in the forty-fifth year of her age; a woman eminent neither for her vices nor her virtues. She loved shows and expensive amusements; but possessed little taste in her pleasures. A great comet appeared about the time of her death; and the vulgar esteemed it the prognostic of that event. So considerable in their eyes are even the most insignificant princes.

He left only one son, Charles, then in the twenty-fifth year of his age; and one daughter, Elizabeth, married to the elector palatine. She was aged twenty-nine years. Those alone remained of six legitimate children born to him. He never had any illegitimate; and he never discovered any tendency, even the smallest, towards a passion for any mistress.

The archbishops of Canterbury, during this reign, were Whitgift, who died in 1604; Bancroft, in 1610; Abbot, who survived the king. The chancellors, lord Ellesmore, who resigned in 1617; Bacon was first lord keeper till 1619; then was created chancellor, and was displaced in 1621: Williams, bishop of Lincoln, was created lord keeper in his place. The high treasurers were, the earl of Dorset, who died in 1609; the earl of Salisbury, in 1612; the earl of Suffolk, fined and displaced for bribery in 1618; lord Mandeville, resigned in 1621; the earl of Middlesex, displaced in 1624; the earl of Marlborough succeeded. The lord admirals were, the earl of Nottingham, who

resigned in 1618; the earl, afterwards duke of Buckingham. The secretaries of state were, the earl of Salisbury, sir Ralph Winwood, Nanton, Calvert, lord Conway, sir Albertus Moreton.

The numbers of the house of lords, in the first parliament of this reign, were seventy-eight temporal peers. The numbers in the first parliament of Charles were ninety-seven. (consequently James, during that period, James created nineteen new peerages above those that expired.

The house of commons, in the first parliament of this reign, consisted of four hundred and sixty-seven members. It appears, that four boroughs revived their charters, which they had formerly neglected. And as the first parliament of Charles consisted of four hundred and ninety-four members, we may infer that James created ten new boroughs.

NOTES.

- Franklyn, p. 57. Rushworth, vol. i. p. 38.
 Parl. Hist. vol. v. p. 484.
 Kennet, p. 719.
 Franklyn, p. 69. Rushworth, vol. i. p. 63.
 Rushworth, vol. i. p. 292.
 Rushworth, vol. i. p. 69.
 Rushworth, vol. i. p. 273.
 We find by private letters between Philip IV. and the Conde Olivarez, shown by the latter to Buckingham, that the marriage and the restitution of the Palatinate were always considered by the court of Spain as inseparable. See Franklyn, p. 71, 72. Rushworth, vol. i. p. 71 290 299, 300. Parl. Hist. vol. vi. p. 66.
 Franklyn, p. 73.
 Rushworth, vol. i. p. 66.
 Clarendon, vol. i. p. 11, 12.
 Clarendon, vol. i. p. 14.
 Clarendon, vol. i. p. 16.
 Franklyn, p. 73.
 Franklyn, p. 74.
 Rushworth, vol. i. p. 77.
 Rushworth, vol. i. p. 81.
 Franklyn, p. 80. Rushworth, vol. i. p. 89. Kennet, p. 7.
 Rushworth, vol. i. p. 82. Franklyn, p. 77.
 Franklyn, p. 80. Rushworth, vol. i. p. 103.
- Rushworth, vol. i. p. 101.
 Clarendon, vol. i. p. 36.
 Rushworth, vol. i. p. 103. Clarendon, vol. i. p. 37.
 Hacket's Life of Williams.
 Parl. Hist. vol. vi. p. 57.
 Rushworth, vol. i. p. 105. Kennet, p. 776.
 Franklyn, p. 80. Rushworth, vol. i. p. 112.
 Rushworth, vol. i. p. 114.
- nevolence were usually raised, Johnstone tells us, in his *Herak Britannicæ*: the first who immediately prepare himself to carry by post a dispatch into Ireland. Th saying a hundred pounds; and c farther, Coke, Franklyn, p. 79. Rushworth, vol. i. p. 115. Kennet, p. 778.
 Franklyn, p. 89, 90, 91. &c. Rushworth, vol. i. p. 110, 120. &c. Parl. Hist. vol. vi. p. 20, 21, &c.
 It must, however, be confessed, that the king afterwards warned the house not to take Buckingham's narrative for his, though it was laid before them by his order. Parl. Hist. vol. vi. p. 104. James was probably ashamed to have been carried so far by his favourite.
 Parl. Hist. vol. vi. p. 75.
 Franklyn, p. 98. Rushworth, vol. i. p. 128. Parl. Hist. vol. vi. p. 103.
 Clarendon, vol. i. p. 61.
 Franklyn, p. 94, 95. Rushworth, vol. i. p. 129, 130.
- less than 300,000 pounds.
 Clarendon, vol. i. p. 223.
 Parl. Hist. vol. vi. p. 19.
 Franklyn, p. 101, 102.
 See farther, Franklyn, p. 87.
 Parl. Hist. vol. vi. p. 37.
 Franklyn, p. 103.
 Rushworth, vol. i. p. 145.
 Rushworth, vol. i. p. 259.
 Rushworth, vol. i. p. 144. Hacket's Life of Williams. Coke, p. 107.
 See Collection of State Papers by the Earl of Clarendon, p. 393.
 Rushworth, vol. i. p. 152.
 Rushworth, vol. i. p. 74.
 Rushworth, vol. i. p. 151.
 Franklyn, p. 104. Rushworth, vol. i. p. 154. Dugdale, p. 24.
 Rushworth, vol. i. p. 155.

APPENDIX TO THE REIGN OF JAMES I.*

Civil Government of England during this Period.—Ecclesiastical Government.—Manners.—Finances.—Navy.—Commerce.—Manufactures.—Colonies.—Learning and Arts.

IT may not be improper, at this period, to make a pause; and to take a survey of the state of the kingdom with regard to government, manners, finances, arms, trade, learning. Where a just notion is not formed of these particulars, history can be little instructive, and often will not be intelligible.

CIVIL GOVERNMENT OF ENGLAND.

WE may safely pronounce, that the English government, at the accession of the Scottish line, was much more arbitrary than it is at present; the prerogative less limited, the liberties of the subject less accurately defined and secured. Without mentioning other particulars, the courts alone of high commission and star-chamber were sufficient to lay the whole kingdom at the mercy of the prince.

The court of high commission had been erected by Elizabeth, in consequence of an act of parliament, passed in the beginning of her reign: by this act, it was thought proper, during the great revolution of religion, to arm the sovereign with full powers, in order to discourage and suppress opposition. All appeals from the inferior ecclesiastical courts were carried before the high commission; and, of consequence, the whole life and doctrine of the clergy lay directly under its inspection. Every breach of the act of uniformity, every refusal of the ceremonies, was cognizable in this court; and during the reign of Elizabeth, had been punished by deprivation, by fine, confiscation, and imprisonment. James contented himself with the gentler penalty of deprivation; nor was that punishment inflicted with rigour on every offender. Archbishop Spotswood tells us, that he was informed by Bancroft, the primate, several years after the king's accession, that not above forty five clergymen had then been deprived. All the catholics too were liable to be punished by this court, if they exercised any act of their religion, or sent abroad their children or other relations,

to receive that education which they could not procure them in their own country. Popish priests were thrown into prison, and might be delivered over to the law, which punished them with death; though that severity had been sparingly exercised by Elizabeth, and never almost by James. In a word, that liberty of conscience, which we so highly and so justly value at present, was totally suppressed; and no exercise of any religion, but the established, was permitted throughout the kingdom. Any word or writing, which tended towards heresy or schism, was punishable by the high commissioners or any three of them: they alone were judges what expressions had that tendency. They proceeded not by information, but upon rumour, suspicion, or according to their discretion; they administered an oath, by which the party cited before them was bound to answer any question which should be propounded to him. Whoever refused this oath, though he pleaded ever so justly, that he might thereby be brought to accuse himself, or his dearest friend, was punishable by imprisonment: and in short, an inquisitorial tribunal, with all its terrors and iniquities, was erected in the kingdom. Full discretionary powers were bestowed with regard to the inquiry, trial, sentence, and penalty inflicted; excepting only that corporal punishments were restrained by that patent of the prince, which erected the court, not by the act of parliament which empowered him. By reason of the uncertain limits which separate ecclesiastical from civil causes, all accusations of adultery and incest were tried by the court of high commission; and every complaint of wives against their husbands was there examined and discussed.¹ On like pretences, every cause which regarded conscience, that is, every cause could have been brought under their jurisdiction.

But there was a sufficient reason, why the king would not be solicitous to stretch the jurisdiction of this court: the star-chamber possessed the same authority in civil matters; and its methods of proceeding were equally arbitrary and unlimited. The origin of this court was derived from the most remote antiquity;² though it is pretended, that its power had first been carried to the greatest height by Henry VII. In all times, however, it is

* This history of the house of Stuart was written and published by the author before the history of the house of Tudor. Hence it happens that some passages, particularly in the present Appendix, may seem to be repetitions of what was formerly delivered in the reign of Elizabeth. The author, in order to obviate this objection, has cancelled some few passages in the foregoing chapters.

confessed, it enjoyed authority; and at no time was its authority circumscribed, or method of proceeding directed by any law or statute.

We have had already, or shall have sufficient occasion, during the course of this history, to mention the dispensing power, the power of imprisonment, of exacting loans³ and benevolences, of pressing and quartering soldiers, of altering the customs, of erecting monopolies. These branches of power, if not directly opposite to the principles of all free government, must, at least, be acknowledged dangerous to freedom in a monarchical constitution, where an eternal jealousy must be preserved against the sovereign, and no discretionary powers must ever be intrusted to him, by which the property or personal liberty of any subject can be affected. The kings of England, however, had almost constantly exercised these powers; and if, on any occasion, the prince had been obliged to submit to laws enacted against them, he had ever, in practice, eluded these laws, and returned to the same arbitrary administration. During almost three centuries before the accession of James, the regal authority, in all these particulars, had never once been called in question.

We may also observe, that the principles in general, which prevailed during that age, were so favourable to monarchy, that they bestowed on it an authority almost absolute and unlimited, sacred and indefensible.

The meetings of parliament were so precarious; their sessions so short, compared to the vacation; that, when men's eyes were turned upwards in search of sovereign power, the prince alone was apt to strike them as the only permanent magistrate, invested with the whole majesty and authority of the state. The great complaisance too of parliaments during so long a period, had extremely degraded and obscured those assemblies; and as all instances of opposition to prerogative must have been drawn from a remote age, they were unknown to a great many, and had the less authority even with those who were acquainted with them.

These examples, besides, of liberty had commonly in ancient times been accompanied with such circumstances of violence, convulsion, civil war, and disorder, that they presented but a disagreeable idea to the inquisitive part of the people, and afforded small inducement to renew such dismal scenes. By a great many, therefore, monarchy, simple and unmixed, was conceived to be the government of England; and those popular assemblies were supposed to form only the ornament of the fabric, without being in any degree essential to its being and existence. [See note RR, at the end of this Vol.] The prerogative of the crown was represented by lawyers as something real and durable; like those eternal essences of the schools which no time or force could alter.

The sanction of religion was by divines called in aid; and the monarch of heaven was supposed to be interested in supporting the authority of his earthly viceroy. And though it is pretended that these doctrines were more openly inculcated and more strenuously insisted on during the reign of the Stuarts, they were not then invented; and were only found by the court to be more necessary at that period, by reason of the opposite doctrines which began to be promulgated by the puritanical party. [See note SS, at the end of this Vol.]

In consequence of these exalted ideas of kingly authority, the prerogative, besides the articles of jurisdiction founded on precedent, was by many supposed to possess an inexhaustible fund of latent powers, which might be exerted on any emergency. In every government, necessity, when real, supersedes all laws and levels all limitations: but in the English government, convenience alone was conceived to authorize any extraordinary act of regal power, and to render it obligatory on the people. Hence the strict obedience required to proclamations, during all periods of the English history; and if James has incurred blame on account of his edicts, it is only because he too frequently issued them at a time when they began to be less regarded, not because he first assumed or extended to an unusual degree that exercise of authority. Of his maxims in a parallel case, the following is a pretty remarkable instance.

Queen Elizabeth had appointed commissioners for the inspection of prisons, and had bestowed on them full discretionary powers to adjust all differences between prisoners and their creditors, to compound debts, and to give liberty to such debtors as they found honest and insolvent. From the uncertain and undefined nature of the English constitution, doubts sprang up in many, that this commission was contrary to law; and it was represented in that light to James. He forbore renewing the commission till the fifteenth of his reign; when complaints rose so high, with regard to the abuses practised in prisons, that he thought himself obliged to overcome his scruples, and to appoint new commissioners invested with the same discretionary powers which Elizabeth had formerly conferred.⁴

Upon the whole, we must conceive that monarchy, on the accession of the house of Stuart, was possessed of a very extensive authority: an authority, in the judgment of all, not exactly limited; in the judgment of some, not limitable. But, at the same time, this authority was founded merely on the opinion of the people, influenced by ancient precedent and example. It was not supported either by money or by force of arms. And, for this reason, we need not wonder that the princes

of that line were so extremely jealous of their prerogative; being sensible that, when those claims were ravished from them, they possessed no influence by which they could maintain their dignity, or support the laws. By the changes which have since been introduced, the liberty and independence of individuals has been rendered much more full, entire, and secure; that of the public more uncertain and precarious. And it seems a necessary, though perhaps a melancholy truth, that in every government, the magistrate must either possess a large revenue and a military force, or enjoy some discretionary powers, in order to execute the laws and support his own authority.

ECCLESIASTICAL GOVERNMENT.

We have had occasion to remark in so many instances, the bigotry which prevailed in that age, that we can look for no toleration among the different sects. Two Arians, under the title of heretics, were punished by fire during this period; and no one reign since the reformation had been free from like barbarities. Stowe says, that these Arians were offered their pardon at the stake, if they would merit it by a recantation. A madman who called himself the Holy Ghost was, without any indulgence for his frenzy, condemned to the same punishment. Twenty pounds a month could by law be levied on every one who frequented not the established worship. This rigorous law, however, had one indulgent clause, that the fines exacted must not exceed two-thirds of the yearly income of the person. It had been usual for Elizabeth to allow those penalties to run on for several years; and to levy them all at once; to the utter ruin of such catholics as had incurred her displeasure. James was more humane in this, as in every other respect. The puritans formed a sect which secretly lurked in the church, but pretended not to any separate worship or discipline. An attempt of that kind would have been universally regarded as the most unpardonable enormity. And had the king been disposed to grant the puritans a full toleration for a separate exercise of their religion, it is certain, from the spirit of the times, that this sect itself would have despised and hated him for it, and would have reproached him with luke-warmness and indifference in the cause of religion. They maintained, that they themselves were the only pure church; that their principles and practices ought to be established by law; and that no others ought to be tolerated. It may be questioned, therefore, whether the administration at this time could with propriety deserve the appellation of persecutors with regard to the puritans. Such of the clergy, indeed, as refused to comply with the legal ceremonies, were deprived of their livings, and

sometimes in Elizabeth's reign were otherwise punished: and ought any man to accept of an office or benefice in an establishment, while he declines compliance with the fixed and known rules of that establishment? But puritans were never punished for frequenting separate congregations; because there were none such in the kingdom; and no protestant ever assumed or pretended to the right of erecting them. The greatest well-wishers of the puritanical sect would have condemned a practice, which in that age was universally, by statesmen and ecclesiastics, philosophers and zealous, regarded as subversive of civil society. Even so great a reasoner as lord Bacon thought that uniformity in religion was absolutely necessary to the support of government, and that no toleration could with safety be given to sectaries.⁵ Nothing but the imputation of idolatry, which was thrown on the catholic religion, could justify, in the eyes of the puritans themselves, the schism made by the hugonots and other protestants, who lived in popish countries.

In all former ages, not wholly excepting even those of Greece and Rome, religious sects and heresies and schisms had been esteemed dangerous if not pernicious to civil government, and were regarded as the source of faction, and private combination, and opposition to the laws.⁶ The magistrate, therefore, applied himself directly to the cure of this evil as of every other; and very naturally attempted by penal statutes to suppress those separate communities, and punish the obstinate innovators. But it was found by fatal experience, and after spilling an ocean of blood in those theological quarrels, that the evil was of a peculiar nature, and was both inflamed by violent remedies, and diffused itself more rapidly throughout the whole society. Hence, though late, arose the paradoxical principle and salutary practice of toleration.

The liberty of the press was incompatible with such maxims and such principles of government as then prevailed, and was therefore quite unknown in that age. Besides employing the two terrible courts of star-chamber and high commission, whose powers were unlimited, queen Elizabeth exerted her authority by restraints upon the press. She passed a decree in her court of star-chamber, that is, by her own will and pleasure, forbidding any book to be printed in any place but in London, Oxford, and Cambridge;⁷ and another, in which she prohibited, under severe penalties, the publishing of any book or pamphlet *against the form or meaning of any restraint or ordinance, contained, or to be contained, in any statute or laws of this realm, or in any injunction made or set forth by her majesty or her privy-council, or against the true sense or meaning of any*

*letters patent, commissions or prohibitions under the great seal of England.*⁸ James extended the same penalties to the importing of such books from abroad.⁹ And to render these edicts more effectual, he afterwards inhibited the printing of any book without a licence from the archbishop of Canterbury, the archbishop of York, the bishop of London, or the vice-chancellor of one of the universities, or of some person appointed by them.¹⁰

In tracing the coherence among the systems of modern theology, we may observe, that the doctrine of absolute decrees has ever been intimately connected with the enthusiastic spirit; as that doctrine affords the highest subject of joy, triumph, and security to the supposed elect, and exalts them by infinite degrees above the rest of mankind. All the first reformers adopted these principles; and the Jansenists too, a fanatical sect in France, not to mention the Mahometans in Asia, have ever embraced them. As the Lutheran establishments were subjected to episcopal jurisdiction, their enthusiastic genius gradually decayed, and men had leisure to perceive the absurdity of supposing God to punish by infinite torments what he himself from all eternity had unchangeably decreed. The king, though at this time his Calvinistic education had rivetted him in the doctrine of absolute decrees, yet, being a zealous partisan of episcopacy, was insensibly engaged, towards the end of his reign, to favour the milder theology of Arminius. Even in so great a doctor, the genius of the religion prevailed over its speculative tenets; and with him the whole clergy gradually dropped the more rigid principles of absolute reprobation and unconditional decrees: some noise was at first made about these innovations; but being drowned in the fury of factions and civil wars which ensued, the scholastic arguments made an insignificant figure amidst those violent disputes, about civil and ecclesiastical power with which the nation was agitated. And at the restoration, the church, though she still retained her old subscriptions and articles of faith, was found to have totally changed her speculative doctrines, and to have embraced tenets more suitable to the genius of her discipline and worship, without its being possible to assign the precise period in which the alteration was produced.

It may be worth observing, that James, from his great desire to promote controversial divinity, erected a college at Chelsea for the entertainment of twenty persons, who should be entirely employed in refuting the papists and puritans.¹¹ All the efforts of the great Bacon could not procure an establishment for the cultivation of natural philosophy: even to this day, no society has been instituted for the polishing and fixing of our language. The only

encouragement which the sovereign in England has ever given to any thing that has the appearance of science, was this short-lived establishment of James; an institution quite superfluous, considering the unhappy propension which at that time so universally possessed the nation for polemical theology.

MANNERS.

THE manners of the nation were agreeable to the monarchical government which prevailed; and contained not that strange mixture which at present distinguishes England from all other countries. Such violent extremes were then unknown, of industry and debauchery, frugality and profusion, civility and rusticity, fanaticism and scepticism. Candour, sincerity, modesty, are the only qualities which the English of that age possessed in common with the present.

High pride of family then prevailed; and it was by a dignity and stateliness of behaviour, that the gentry and nobility distinguished themselves from the common people. Great riches, acquired by commerce, were more rare, and had not as yet been able to confound all ranks of men, and render money the chief foundation of distinction. Much ceremony took place in the common intercourse of life, and little familiarity was indulged by the great. The advantages which result from opulence are so solid and real, that those who are possessed of them need not dread the near approaches of their inferiors. The distinctions of birth and title being more empty and imaginary, soon vanish upon familiar access and acquaintance.

The expences of the great consisted in pomp and show, and a numerous retinue, rather than in convenience and true pleasure. The earl of Nottingham, in his embassy to Spain, was attended by five hundred persons. The earl of Hertford, in that to Brussels, carried three hundred gentlemen along with him. Lord Bacon has remarked, that the English nobility in his time maintained a larger retinue of servants than the nobility of any other nation, except, perhaps, the Poles.¹²

Civil honours, which now hold the first place, were at that time subordinate to the military. The young gentry and nobility were fond of distinguishing themselves by arms. The fury of duels too prevailed more than at any time before or since.¹³ This was the turn that the romantic chivalry for which the nation was formerly so renowned, had lately taken.

Liberty of commerce between the sexes was indulged; but without any licentiousness of manners. The court was very little an exception to this observation. James had rather entertained an aversion and contempt for the

females, nor were those young courtiers, of whom he was so fond, able to break through the established manners of the nation.

The first sedan chair seen in England was in this reign, and was used by the duke of Buckingham; to the great indignation of the people, who exclaimed, that he was employing his fellow creatures to do the service of beasts.

The country life prevails at present in England beyond any cultivated nation of Europe; but it was then much more generally embraced by all the gentry. The increase of arts, pleasures, and social commerce, was just beginning to produce an inclination for the softer and the more civilised life of the city. James discouraged as much as possible this alteration of manners. "He was wont to be very earnest," as lord Bacon tells us, "with the country gentlemen to go from London to their country seats. And sometimes he would say thus to them: *Gentlemen, at London, you are like ships in a sea, which show like nothing; but in your country villages you are like ships in a river, which look like great things.*"¹⁴

He was not content with reproof and exhortation. As queen Elizabeth had perceived with regret the increase of London, and had restrained all new buildings by proclamation; James, who found that these edicts were not exactly obeyed, frequently renewed them; though a strict execution seems still to have been wanting. He also issued reiterated proclamations in imitation of his predecessor; containing severe menaces against the gentry who lived in town.¹⁵ This policy is contrary to that which has ever been practised by all princes who studied the increase of their authority. To allure the nobility to court; to engage them in expensive pleasures or employments which dissipate their fortune; to increase their subjection to ministers by attendance; to weaken their authority in the provinces by absence: these have been the common arts of arbitrary government. But James, besides that he had certainly laid no plan for extending his power, had no money to support a splendid court, or bestow on a numerous retinue of gentry and nobility. He thought too that by their living together, they became more sensible of their own strength, and were apt to indulge too curious researches into matters of government. To remedy the present evil, he was desirous of dispersing them into their country-seats; where, he hoped, they would bear a most submissive reverence to his authority, and receive less support from each other. But the contrary effect soon followed. The riches amassed during their residence at home rendered them independent. The influence acquired by hospitality made them formidable. They would not be led by the court: they could not be driven: and thus the system of the English government received a total and a

sudden alteration in the course of less than forty years.

The first rise of commerce and the arts had contributed, in preceding reigns, to scatter those immense fortunes of the barons which rendered them so formidable both to king and people. The farther progress of these advantages began during this reign to ruin the small proprietors of land;¹⁶ and, by both events, the gentry, or that rank which composed the house of commons, enlarged their power and authority. The early improvements in luxury were seized by the greater nobles, whose fortunes, placing them above frugality, or even calculation, were soon dissipated in expensive pleasures. These improvements reached at last all men of property; and those of slender fortunes, who at that time were often men of family, imitating those of a rank immediately above them, reduced themselves to poverty. Their lands, coming to sale, swelled the estates of those who possessed riches sufficient for the fashionable expenses; but who were not exempted from some care and attention to their domestic economy.

The gentry also of that age were engaged in no expense, except that of country hospitality. No taxes were levied, no wars waged, no attendance at court expected, no bribery or profusion required at elections.¹⁷ Could human nature ever reach happiness, the condition of the English gentry under so mild and benign a prince, might merit that appellation.

FINANCES.

THE amount of the king's revenue, as it stood in 1617, is thus stated:¹⁸ of crown lands, 80,000 pounds a-year; by customs and new impositions, near 190,000; by wards and other various branches of revenue, beside purveyance, 180,000. The whole amounting to 450,000. The king's ordinary disbursements, by the same account, are said to exceed this sum thirty-six thousand pounds.¹⁹ All the extraordinary sums which James had raised by subsidies, loans, sale of lands, sale of the title of baronet, money paid by the state, and, by the king of France, benevolences, &c. were in the whole about two millions two hundred thousand pounds: of which the sale of lands afforded seven hundred and seventy-five thousand pounds. The extraordinary disbursements of the king amounted to two millions; beside above four hundred thousand pounds given in presents. Upon the whole, a sufficient reason appears, partly from necessary expenses, partly for want of a rigid economy, why the king, even early in his reign, was deeply involved in debt, and found great difficulty to support the government.

Farmers, not commissioners, levied the customs. It seems, indeed, requisite, that the

former method should always be tried before the latter, though a preferable one. 'When men's own interest is concerned, they fall upon a hundred expedients to prevent frauds in the merchants; and these the public may afterwards imitate in establishing proper rules for its officers.

The customs were supposed to amount to five *per cent.* of the value, and were levied upon exports as well as imports. Nay, the imposition upon exports, by James's additions, is said to amount in some few instances to twenty-five *per cent.* This practice, so hurtful to industry, prevails still in France, Spain, and most countries of Europe. The customs in

604 yielded 127,000 pounds a-year;²⁰ they rose to 190,000 towards the end of the reign.

Interest, during this reign, was at ten *per cent.* till 1624, when it was reduced to eight. This high interest is an indication of the great profits and small progress of commerce.

The extraordinary supplies granted by parliament during this whole reign amounted not to more than 630,000 pounds; which, divided among twenty-one years, makes 30,000 pounds a-year. I do not include those supplies, amounting to 300,000 pounds, which were given to the king by his last parliament. These were paid in to their own commissioners; and the expenses of the Spanish war were much more than sufficient to exhaust them. The distressed family of the palatine was a great burthen on James, during part of his reign. The king, it is pretended, possessed not frugality proportioned to the extreme narrowness of his revenue. Splendid equipages, however, he did not affect, nor costly furniture, nor a luxurious table, nor prodigal mistresses. His buildings too were not sumptuous; though the Banqueting-house must not be forgotten, as a monument which does honour to his reign. Hunting was his chief amusement, the cheapest pleasure in which a king can indulge himself. His expenses were the effects of liberality, rather than of luxury.

One day, it is said, while he was standing amidst some of his courtiers, a porter passed by loaded with money, which he was carrying to the treasury. The king observed that Rich, afterwards earl of Holland, one of his handsome agreeable favourites, whispered something to one standing near him. Upon inquiry, he found that Rich had said, *How happy would that money make me!* Without hesitation James bestowed it all upon him, though it amounted to three thousand pounds. He added, *You think yourself very happy in obtaining so large a sum; but I am more happy in having an opportunity of obliging a worthy man, whom I love.* The generosity of James was more the result of a benign humour or light fancy, than of reason or judgment. The objects of it were such as could render themselves agreeable to

him in his loose hours; not such as were endowed with great merit, or who possessed talents or popularity which could strengthen his interest with the public.

The same advantage, we may remark, over the people, which the crown formerly reaped from that interval between the fall of the peers and the rise of the commons, was now possessed by the people against the crown, during the continuance of a like interval. The sovereign had already lost that independent revenue by which he could subsist without regular supplies from parliament; and he had not yet acquired the means of influencing those assemblies. The effects of this situation, which commenced with the accession of the house of Stuart, soon rose to a great height, and were more or less propagated throughout all the reigns of that unhappy family.

Subsidies and fifteenths are frequently mentioned by historians; but neither the amount of these taxes nor the method of levying them have been well explained. It appears, that the fifteenths formerly corresponded to the name, and were that proportionable part of the moveables.²¹ But a valuation having been made in the reign of Edward III., that valuation was always adhered to, and each town paid unalterably a particular sum, which the inhabitants themselves assessed upon their fellow-citizens. The same tax in corporate towns was called a tenth; because, there at first it was a tenth of the moveables. The whole amount of a tenth and a fifteenth throughout the kingdom, or a fifteenth as it is often more concisely called,²² was about 22,000 pounds.²³ The amount of a subsidy was not invariable, like that of a fifteenth. In the eighth of Elizabeth a subsidy amounted to 120,000 pounds: in the fortieth it was not above 78,000.²⁴ It afterwards fell to 70,000; and was continually decreasing.²⁵ The reason is easily collected from the method of levying it. We may learn from the subsidy bills,²⁶ that one subsidy was given for four shillings in the pound on land, and two shillings and eight-pence on moveables throughout the counties; a considerable tax, had it been strictly levied. But this was only the ancient state of a subsidy. During the reign of James, there was not paid the twentieth part of that sum. The tax was so far personal that a man paid only in the county where he lived, though he should possess estates in other counties; and the assessors formed a loose estimation of his property, and rated him accordingly. To preserve, however, some rule in the estimation, it seems to have been the practice to keep an eye to former assessments, and to rate every man according as his ancestors, or men of such an estimated property, were accustomed to pay. This was a sufficient reason why subsidies could not increase, notwithstanding the great increase of

money and rise of rents. But there was an evident reason why they continually decreased. The favour, as is natural to suppose, ran always against the crown; especially during the latter end of Elizabeth, when subsidies became numerous and frequent, and the sums levied were considerable, compared to former supplies. The assessors, though accustomed to have an eye to ancient estimations, were not bound to observe any such rule; but might rate anew any person according to his present income. When rents fell, or part of an estate was sold off, the proprietor was sure to represent these losses, and obtain a diminution of his subsidy; but where rents rose, or new lands were purchased, he kept his own secret, and paid no more than formerly. The advantage, therefore, of every change was taken against the crown; and the crown could obtain the advantage of none. And to make the matter worse, the alterations which happened in property during this age were generally unfavourable to the crown. The small proprietors, or twenty pound men, went continually to decay; and when their estates were swallowed up by a greater, the new purchaser increased not his subsidy. So loose indeed is the whole method of rating subsidies, that the wonder was not how the tax should continually diminish; but how it yielded any revenue at all. It became at last so unequal and uncertain, that the parliament was obliged to change it into a land-tax.

The price of corn during this reign, and that of the other necessities of life, was no lower, or was rather higher than at present. By a proclamation of James, establishing public magazines, whenever wheat fell below thirty-two shillings a quarter, rye below eighteen, barley below sixteen, the commissioners were empowered to purchase corn for the magazines.²⁶ These prices then are to be regarded as low; though they would rather pass for high by our present estimation. The usual bread of the poor was at this time made of barley.²⁷ The best wool, during the greater part of James's reign, was at thirty-three shillings a tod.²⁸ At present it is not above two-thirds of that value; though it is to be presumed that our exports in woollen goods are somewhat increased. The finer manufactures too, by the progress of arts and industry, have rather diminished in price, notwithstanding the great increase of money. In Shakespeare, the hostess tells Falstaff, that the shirts she bought him were holland at eight shillings a yard; a high price at this day, even supposing, what is not probable, that the best holland at that time was equal in goodness to the best that can now be purchased. In like manner, a yard of velvet, about the middle of Elizabeth's reign, was valued at two and twenty shillings. It appears from Dr. Birch's life of prince Henry,²⁹ that that prince, by

contract with his butcher, paid near a groat a-pound throughout the year for all the beef and mutton used in his family. Besides, we must consider, that the general turn of that age, which no laws could prevent, was the converting of arable land into pasture: a certain proof that the latter was found more profitable, and consequently that all butcher's meat, as well as bread, was rather higher than at present. We have a regulation of the market with regard to poultry and some other articles very early in Charles the First's reign;³⁰ and the prices are high. A turkey-cock four shillings and sixpence, a turkey-hen three shillings, a pheasant cock six, a pheasant hen five, a partridge one shilling, a goose two, a capon two and sixpence, a pullet one and sixpence, a rabbit eight pence, a dozen of pigeons six shillings.³¹ We must consider, that London at present is more than three times more populous than it was at that time—a circumstance which much increases the price of poultry, and of every thing that cannot conveniently be brought from a distance—not to mention that these regulations by authority are always calculated to diminish, never to increase the market prices. The contractors for victualling the navy were allowed by government eight pence a day for the diet of each man when in harbour, seven pence halfpenny when at sea;³² which would suffice at present. The chief difference in expence between that age and the present consists in the imaginary wants of men, which have since extremely multiplied. These³³ are the principal reasons why James's revenue would go farther than the same money in our time; though the difference is not near so great as is usually imagined.

ARMS.

THE public was entirely free from the danger and expence of a standing army. While James was vaunting his divine viceregency, and boasting of his high prerogative, he possessed not so much as a single regiment of guards to maintain his extensive claims: a sufficient proof that he sincerely believed his pretensions to be well-grounded, and a strong presumption that they were at least built on what were then deemed plausible arguments. The militia of England, amounting to 160,000 men,³⁴ was the sole defence of the kingdom. It is pretended that they were kept in good order during this reign.³⁵ The city of London procured officers who had served abroad, and who taught the trained bands their exercise in Artillery-garden—a practice which had been discontinued since 1588. All the counties of England, in emulation of the capital, were fond of showing a well-ordered and well-appointed militia. It appeared that the natural

propensity of men towards military shows and exercises will go far, with a little attention in the sovereign, towards exciting and supporting this spirit in any nation. The very boys at this time, in mimicry of their elders, enlisted themselves voluntarily into companies, elected officers, and practised the discipline, of which the models were every day exposed to their view.⁵⁶ Sir Edward Harwood, in a memorial composed at the beginning of the subsequent reign, says, that England was so unprovided with horses fit for war, that two thousand men could not possibly be mounted throughout the whole kingdom.⁵⁷ At present the breed of horses is so much improved, that almost all those which are employed either in the plough, waggon, or coach, would be fit for that purpose.

The disorders of Ireland obliged James to keep up some forces there, and put him to great expence. The common pay of a private man in the infantry was eight pence a-day, a lieutenant two shillings, an ensign eighteen pence.⁵⁸ The armies in Europe were not near so numerous during that age; and the private men, we may observe, were drawn from a better rank than at present, and approaching nearer to that of the officers.

In the year 1583 there was a general review made of all the men in England capable of bearing arms; and these were found to amount to 1,172,000 men, according to Raleigh.⁵⁹ It is impossible to warrant the exactness of this computation; or, rather, we may fairly presume it to be somewhat inaccurate. But if it approached near the truth, England has probably, since that time, increased in populousness. The growth of London, in riches and beauty, as well as in numbers of inhabitants, has been prodigious. From 1600 it doubled every forty years;⁶⁰ and consequently, in 1620, it contained four times as many inhabitants as at the beginning of the century. It has ever been the centre of all the trade in the kingdom; and almost the only town that affords society and amusement. The affection which the English bear to a country life makes the provincial towns be little frequented by the gentry. Nothing but the allurements of the capital, which is favoured by the residence of the king, and by being the seat of government, and of all the courts of justice, can prevail over their passion for their rural villas.

London at this time was almost entirely built of wood, and in every respect was certainly a very ugly city. The earl of Arundel first introduced the general practice of brick buildings.⁶¹

NAVY.

THE navy of England was esteemed formidable in Elizabeth's time, yet it consisted only

of thirty-three ships, besides pinnaces.⁶² and the largest of these would not equal our fourth-rates at present. Raleigh advises never to build a ship of war above six hundred tons.⁶³ James was not negligent of the navy. In five years preceding 1623, he built ten new ships, and expended fifty thousand pounds a-year on the fleet, beside the value of thirty-six thousand pounds in timber, which he annually gave from the royal forests.⁶⁴ The largest ship that had ever come from the English docks was built during this reign. She was only fourteen hundred tons, and carried sixty-four guns.⁶⁵ The merchant ships, in cases of necessity, were instantly converted into ships of war. The king affirmed to the parliament, that the navy had never before been in so good a condition.⁶⁶

COMMERCE.

EVERY session of parliament during this reign, we meet with grievous lamentations concerning the decay of trade, and the growth of popery: such violent propensity have men to complain of the present times, and to entertain discontent against their fortune and condition. The king himself was deceived by these popular complaints, and was at a loss to account for the total want of money, which he heard so much exaggerated.⁶⁷ It may, however, be affirmed, that during no preceding period of English history, was there a more sensible increase than during the reign of this monarch, of all the advantages which distinguish a flourishing people. Not only the peace which he maintained was favourable to industry and commerce: his turn of mind inclined him to promote the peaceful arts: and trade being yet in its infancy, all additions to it must have been the more evident to every eye, which was not blinded by melancholy prejudices. [*See note TT, at the end of this Vol.*]

By an account⁶⁸ which seems judicious and accurate, it appears that all the seamen employed in the merchant service amounted to ten thousand men, which probably exceeds not the fifth part of their present number. Sir Thomas Overbury says, that the Dutch possessed three times more shipping than the English, but that their ships were of inferior burden to those of the latter.⁶⁹ Sir William Monson computed the English naval power to be little or nothing inferior to the Dutch,⁷⁰ which is surely an exaggeration. The Dutch at this time traded to England with six hundred ships; England to Holland with sixty only.⁷¹

MANUFACTURES.

A CATALOGUE of the manufactures, for which the English were then eminent, would appear very contemptible, in comparison of

those which flourish among them at present. Almost all the more elaborate and curious arts were only cultivated abroad, particularly in Italy, Holland, and the Netherlands. Ship-building, and the founding of iron cannon, were the sole in which the English excelled. They seem, indeed, to have possessed alone the secret of the latter, and great complaints were made every parliament against the exportation of English ordnance.

Nine-tenths of the commerce of the kingdom consisted in woollen goods.⁵² Wool, however, was allowed to be exported, till the nineteenth of the king. Its exportation was then forbidden by proclamation, though that edict was never strictly executed. Most of the cloth was exported raw, and was dyed and dressed by the Dutch; who gained, it is pretended, seven hundred thousand pounds a-year by this manufacture.⁵³ A proclamation issued by the king against exporting cloth in that condition, had succeeded so ill during one year, by the refusal of the Dutch to buy the dressed cloth, that great murmurs arose against it; and this measure was retracted by the king, and complained of by the nation, as if it had been the most impolitic in the world. It seems indeed to have been premature.

In so little credit was the fine English cloth even at home, that the king was obliged to seek expedients by which he might engage the people of fashion to wear it.⁵⁴ The manufacture of fine linen was totally unknown in the kingdom.⁵⁵

The company of merchant-adventurers, by their patent, possessed the sole commerce of woollen goods, though the staple commodity of the kingdom. An attempt made during the reign of Elizabeth to lay open this important trade had been attended with bad consequences for a time, by a conspiracy of the merchant-adventurers, not to make any purchases of cloth; and the queen immediately restored them their patent.

It was the groundless fear of a like accident that enslaved the nation to those exclusive companies, which confined so much every branch of commerce and industry. The parliament, however, annulled, in the third of the king, the patent of the Spanish company; and the trade to Spain, which was at first very insignificant, soon became the most considerable in the kingdom. It is strange that they were not thence encouraged to abolish all the other companies, and that they went no farther than obliging them to enlarge their bottom, and to facilitate the admission of new adventurers.

A board of trade was erected by the king in 1622.⁵⁶ One of the reasons assigned in the commission, is to remedy the low price of wool, which begat complaints of the decay of the woollen manufactory. It is more probable,

however, that this fall of prices proceeded from the increase of wool. The king likewise recommends it to the commissioners to inquire and examine, whether a greater freedom of trade, and an exemption from the restraint of exclusive companies, would not be beneficial. Men were then fettered by their own prejudices; and the king was justly afraid of embracing a bold measure, whose consequences might be uncertain. The digesting of a navigation act, of a like nature with the famous one executed afterwards by the republican parliament, is likewise recommended to the commissioners. The arbitrary powers then commonly assumed by the privy-council, appear evidently through the whole tenor of the commission.

The silk manufactory had no footing in England: but, by James's direction, mulberry-trees were planted, and silk-worms introduced.⁵⁷ The climate seems unfavourable to the success of this project. The planting of hops increased much in England during this reign.

Greenland is thought to have been discovered about this period; and the whale fishery was carried on with success: but the industry of the Dutch, in spite of all opposition, soon deprived the English of this source of riches. A company was erected for the discovery of the north-west passage; and many fruitless attempts were made for that purpose. In such noble projects, despair ought never to be admitted, till the absolute impossibility of success be fully ascertained.

The passage to the East-Indies had been opened to the English during the reign of Elizabeth; but the trade to those parts was not entirely established till this reign, when the East-India company received a new patent, enlarged their stock to 1,500,000 pounds,⁵⁸ and fitted out several ships on these adventures. In 1609 they built a vessel of 1200 tons, the largest merchant-ship that England had ever known. She was unfortunate, and perished by shipwreck. In 1611, a large ship of the company, assisted by a pinnace, maintained five several engagements with a squadron of Portuguese, and gained a complete victory over forces much superior. During the following years the Dutch company was guilty of great injuries towards the English, in expelling many of their factors, and destroying their settlements: but these violences were resented with a proper spirit by the court of England. A naval force was equipped under the earl of Oxford,⁵⁹ and lay in wait for the return of the Dutch East-India fleet. By reason of cross-winds, Oxford failed of his purpose, and the Dutch escaped. Some time after, one rich ship was taken by vice-admiral Merwin; and it was stipulated by the Dutch to pay 70,000 pounds to the English company, in consideration of the losses which that company had sustained.⁶⁰ But neither this stipulation, nor

the fear of reprisals, nor the sense of that friendship which subsisted between England and the States, could restrain the avidity of the Dutch company, or render them equitable in their proceedings towards their allies. Impatient to have the sole possession of the spice trade, which the English then shared with them, they assumed a jurisdiction over a factory of the latter in the island of Amboyna; and on very improbable, and even absurd pretences, seized all the factors, with their families, and put them to death with the most inhuman tortures. This dismal news arrived in England at the time when James, by the prejudices of his subjects, and the intrigues of his favourite, was constrained to make a breach with Spain; and he was obliged, after some remonstrances, to acquiesce in this indignity from a state whose alliance was now become necessary to him. It is remarkable that the nation, almost without a murmur, submitted to this injury from their protestant confederates; an injury which, besides the horrid enormity of the action, was of much deeper importance to national interest, than all those which they were so impatient to resent from the house of Austria.

The exports of England from Christmas 1612 to Christmas 1613 are computed at 2,487,435 pounds: the imports at 2,141,151: so that the balance in favour of England was 346,284.⁶¹ But in 1622 the exports were 2,320,436 pounds; the imports 2,619,315; which makes a balance of 298,879 pounds against England.⁶² The coinage in England from 1599 to 1619 amounted to 4,779,314 pounds thirteen shillings and four pence;⁶³ a proof that the balance in the main was considerably in favour of the kingdom. As the annual imports and exports together rose to near five millions, and the customs never yielded so much as 200,000 pounds a year, of which tonnage made a part, it appears that the new rates affixed by James did not, on the whole, amount to one shilling in the pound, and consequently were still inferior to the intention of the original grant of parliament. The East-India company usually carried out a third of their cargo in commodities.⁶⁴ The trade to Turkey was one of the most gainful to the nation.⁶⁵ It appears that copper halfpence and farthings began to be coined in this reign.⁶⁶ Tradesmen had commonly carried on their retail business, chiefly by means of leaden tokens. The small silver penny was soon lost, and at this time was no where to be found

known in any age or nation. The Spaniards, being the first discoverers of the new world, immediately took possession of the precious mines which they found there; and, by the allurements of great riches, they were tempted to depopulate their own country, as well as that which they conquered; and added the vice of sloth to those of avidity and barbarity, which had attended their adventurers in those renowned enterprises. That fine coast was entirely neglected, which reaches from St. Augustine to Cape Breton, and which lies in all the temperate climates, is watered by noble rivers, and offers a fertile soil, but nothing more to the industrious planter. Peopled gradually from England by the necessitous and indigent, who at home increased neither wealth nor populousness, the colonies which were planted along that tract have promoted the navigation, encouraged the industry, and even perhaps multiplied the inhabitants of their mother-country. The spirit of independency, which was reviving in England, here shone forth in its full lustre, and received new accession from the aspiring character of those who, being discontented with the established church and monarchy, had sought for freedom amidst those savage deserts.

Queen Elizabeth had done little more than given a name to the continent of Virginia; and after her planting one feeble colony, which quickly decayed, that country was entirely abandoned. But when peace put an end to the military enterprises against Spain, and left ambitious spirits no hopes of making any longer such rapid advances towards honour and fortune, the nation began to second the pacific intentions of its monarch, and to seek a surer, though slower expedient, for acquiring riches and glory. In 1606, Newport carried over a colony, and began a settlement, which the company erected by patent for that purpose, in London and Bristol, took care to supply with yearly recruits of provisions, utensils, and new inhabitants. About 1609, Argal discovered a more direct and shorter passage to Virginia, and left the track of the ancient navigators, who had first directed their course southwards to the tropic, sailed westward by means of the trade-winds, and then turned northward, till they reached the English settlements. The same year, five hundred persons under sir Thomas Gates and sir George Somers were embarked for Virginia. Somers's ship, meeting with a tempest, was driven into the Bermudas, and laid the foundation of a settlement in those islands. Lord Delaware afterwards undertook the government of the English colonies: but notwithstanding all his care, seconded by supplies from James, and by money raised from the first lottery ever known in the kingdom, such difficulties attended the settlement of these countries, that

COLONIES.

WHAT chiefly renders the reign of James memorable, is the commencement of the English colonies in America; colonies established on the noblest footing that has been

in 1614 there were not alive more than four hundred men, of all that had been sent thither. After supplying themselves with provisions more immediately necessary for the support of life, the new planters began the cultivating of tobacco; and James, notwithstanding his antipathy to that drug, which he affirmed to be pernicious to men's morals as well as their health,⁶⁷ gave them permission to enter it in England; and he inhibited by proclamation all importation of it from Spain.⁶⁸ By degrees, new colonies were established in that continent, and gave new names to the places where they settled, leaving that of Virginia to the province first planted. The island of Barbadoes was also planted in this reign.

Speculative reasoners, during that age, raised many objections to the planting of those remote colonies; and foretold that, after draining their mother-country of inhabitants, they would soon shake off her yoke, and erect an independent government in America: but time has shown, that the views entertained by those who encouraged such generous undertakings, were more just and solid. A mild government and great naval force have preserved, and may still preserve during some time, the dominion of England over her colonies. And such advantages have commerce and navigation reaped from these establishments, that more than a fourth of the English shipping is at present computed to be employed in carrying on the traffic with the American settlements.

Agriculture was anciently very imperfect in England. The sudden transitions, so often mentioned by historians, from the lowest to the highest price of grain, and the prodigious inequality of its value in different years, are sufficient proofs that the produce depended entirely on the seasons, and that art had as yet done nothing to fence against the injuries of the heavens. During this reign considerable improvements were made, as in most arts, so in this the most beneficial of any. A numerous catalogue might be formed of books and pamphlets treating of husbandry, which were written about this time. The nation, however, was still dependent on foreigners for daily bread; and though its exportation of grain now forms a considerable branch of its commerce, notwithstanding its probable increase of people, there was in that period, a regular importation from the Baltic, as well as from France; and if it ever stopped, the bad consequences were sensibly felt by the nation. Sir Walter Raleigh in his observations computes, that two millions went out at one time for corn. It was not till the fifth of Elizabeth, that the exportation of corn had been allowed in England; and Camden observes, that agriculture from that moment received new life and vigour.

The endeavours of James, or, more properly speaking, those of the nation, for promoting trade, were attended with greater success than those for the encouragement of learning. Though the age was by no means destitute of eminent writers, a very bad taste in general prevailed during that period; and the monarch himself was not a little infected with it.

LEARNING AND ARTS.

On the origin of letters among the Greeks, the genius of poets and orators, as might naturally be expected, was distinguished by an amiable simplicity, which, whatever rudeness may sometimes attend it, is so fitted to express the genuine movements of nature and passion, that the compositions possessed of it must ever appear valuable to the discerning part of mankind. The glaring figures of discourse, the pointed antithesis, the unnatural conceit, the jingle of words; such false ornaments were not employed by early writers; not because they were rejected, but because they scarcely ever occurred to them. An easy unforced strain of sentiment runs through their compositions; though at the same time we may observe, that amidst the most elegant simplicity of thought and expression, one is sometimes surprised to meet with a poor conceit, which had presented itself unought for, and which the author had not acquired critical observation enough to condemn.⁶⁹ A bad taste seizes with avidity these frivolous beauties, and even perhaps a good taste, ere unfrieted by them: they multiply every day more and more in the fashionable compositions: nature and good sense are neglected: laboured ornaments studied and admired: and a total degeneracy of style and language prepares the way for barbarism and ignorance. Hence the Asiatic manner was found to depart so much from the simple purity of Athens: hence that tinsel eloquence which is observable in many of the Roman writers, from which Cicero himself is not wholly exempted, and which so much prevails in Ovid, Seneca, Lucan, Martial, and the Plinys.

On the revival of letters, when the judgement of the public is yet raw and unformed, this false glitter catches the eye, and leaves no room, either in eloquence or poetry, for the durable beauties of solid sense and lively passion. The reigning genius is then diametrically opposite to that which prevails on the first origin of arts. The Italian writers, it is evident, even the most celebrated, have not reached the proper simplicity of thought and composition; and in Petrarch, Tasso, Guarini, frivolous witticisms and forced conceits are but too predominant. The period during which letters were cultivated in Italy, was so short as scarcely to allow leisure for correcting this adulterated relish.

The more early French writers are liable to the same reproach. Voiture, Balzac, even Corneille, have too much affected those ambitious ornaments, of which the Italians in general, and the least pure of the ancients, supplied them with so many models. And it was not till late, that observation and reflection gave rise to a more natural turn of thought and composition among that elegant people.

A like character may be extended to the first English writers; such as flourished during the reigns of Elizabeth and James, and even till long afterwards. Learning, on its revival in this island, was attired in the same unnatural garb which it wore at the time of its decay among the Greeks and Romans. And, what may be regarded as a misfortune, the English writers were possessed of great genius before they were endowed with any degree of taste, and by that means gave a kind of sanction to those forced turns and sentiments which they so much affected. Their distorted conceptions and expressions are attended with such vigour of mind, that we admire the imagination which produced them, as much as we blame the want of judgment which gave them admittance. To enter into an exact criticism of the writers of that age would exceed our present purpose. A short character of the most eminent, delivered with the same freedom which history exercises over kings and ministers, may not be improper. The national prepossessions, which prevail, will perhaps render the former liberty not the least venial for an author.

If Shakespeare be considered as a MAN, born in a common manner, without any instruction, either from the world or from books, he may be regarded as a prodigy: if represented as a POET, capable of furnishing a proper entertainment to a refined or intelligent audience, we must abate much of this eulogy. In his compositions, we regret, that many irregularities, and even absurdities, should so frequently disfigure the animated and passionate scenes intermixed with them; and at the same time, we perhaps admire the more those beauties, on account of their being surrounded with such deformities. A striking peculiarity of sentiment, adapted to a single character, he frequently hits, as it were, by inspiration; but a reasonable propriety of thought he cannot for any time uphold. Nervous and picturesque expressions as well as descriptions abound in him; but it is in vain we look either for purity or simplicity of diction. His total ignorance of all theatrical art and conduct, however material a defect; yet, as it affects the spectator, rather than the reader, we can more easily excuse, than that want of taste which often prevails in his productions, and which

gives way only by intervals to irradiations of genius. A great and fertile genius he certainly possessed, and one enriched equally with a tragic and comic vein; but he ought to be cited as a proof, how dangerous it is to rely on these advantages alone for attaining an excellence in the finer arts.⁷⁰ And there may even remain a suspicion that we overrate, if possible, the greatness of his genius; in the same manner as bodies often appear more gigantic, on account of their being disproportioned and misshapen. He died in 1616, aged fifty-three years.

Jonson perceived all the defects which were wanting to Shakespeare, and wanted all the genius of which the other was possessed. Both of them were equally deficient in taste and elegance, in harmony and correctness. A servile copyist of the ancients, Jonson translated into bad English the beautiful passages of the Greek and Roman authors, without accommodating them to the manners of his age and country. His merit has been totally eclipsed by that of Shakespeare, whose rude genius prevailed over the rude art of his contemporary. The English theatre has ever since taken a strong tincture of Shakespeare's spirit and character; and thence it has proceeded, that the nation has undergone from all its neighbours, the reproach of barbarism, from which its valuable productions in some other parts of learning would otherwise have exempted it. Jonson had a pension of a hundred marks from the king, which Charles afterwards augmented to a hundred pounds. He died in 1637, aged sixty-three.

Fairfax has translated Tasso with an elegance and ease, and at the same time with an exactness which for the age are surprising. Each line in the original is faithfully rendered by a corresponding line in the translation. Harrington's translation of Ariosto is not likewise without its merit. It is to be regretted that these poets should have imitated the Italians in their stanza, which has a proximity and uniformity in it that displeases in long performances. They had otherwise, as well as Spenser, who went before them, contributed much to the polishing and refining of English versification.

In Donne's satires, when carefully inspected, there appear some flashes of wit and ingenuity; but these totally suffocated and buried by the hardest and most uncouth expression that is any where to be met with.

If the poetry of the English was so rude and imperfect during that age, we may reasonably expect that their prose would be liable still to greater objections. Though the latter appears the more easy, as it is the more natural method of composition; it has ever in practice been found the more rare and difficult; and there scarcely is an instance in any language, that

it has reached a degree of perfection before the refinement of poetical numbers and expression. English prose, during the reign of James, was written with little regard to the rules of grammar, and with a total disregard to the elegance and harmony of the period. Stuffed with Latin sentences and quotations, it likewise imitated those inversions which, however forcible and graceful in the ancient languages, are entirely contrary to the idiom of the English. I shall indeed venture to affirm, that whatever uncouth phrases and expressions occur in old books, they were chiefly owing to the unformed taste of the author; and that the language spoken in the courts of Elizabeth and James was very little different from that which we meet with at present in good company. Of this opinion the little scraps of speeches which are found in the parliamentary journals, and which carry an air so opposite to the laboured orations, seem to be a sufficient proof; and there want not productions of that age which, being written by men who were not authors by profession, retain a very natural manner, and may give us some idea of the language which prevailed among men of the world. I shall particularly mention sir John Davis's *Discovery*, Throgmorton's, Essex's, and Nevil's letters. In a more early period, Cavendish's life of cardinal Wolsey, the pieces that remain of bishop Gardiner, and Anne Boleyn's letter to the king, differ little or nothing from the language of our time.

The great glory of literature in this island during the reign of James, was lord Bacon. Most of his performances were composed in Latin; though he possessed neither the elegance of that, nor of his native tongue. If we consider the variety of talents displayed by this man; as a public speaker, a man of business, a wit, a courtier, a companion, an author, a philosopher; he is justly the object of great admiration. If we consider him merely as an author and philosopher, the light in which we view him at present, though very estimable, he was yet inferior to his cotemporary Galilæo, perhaps even to Kepler. Bacon pointed out at a distance the road to true philosophy: Galilæo both pointed it out to others, and made himself considerable advances in it. The Englishman was ignorant of geometry: the Florentine revived that science, excelled in it, and was the first that applied it, together with experiment, to natural philosophy. The former rejected, with the most positive disdain, the system of Copernicus: the latter fortified it with new proofs, derived both from reason and the senses. Bacon's style is stiff and rigid: his wit, though often brilliant, is also often unnatural and far-fetched; and he seems to be the original of those pointed similes and long-spun allegories which so much

distinguish the English authors: Galilæo is a lively and agreeable, though somewhat a prolix, writer. But Italy, not united in any single government, and perhaps satiated with that literary glory which it has possessed both in ancient and modern times, has too much neglected the renown which it has acquired by giving birth to so great a man. That national spirit which prevails among the English, and which forms their great happiness, is the cause why they bestow on all their eminent writers, and on Bacon among the rest, such praises and acclamations as may often appear partial and excessive. He died in 1626, in the sixty-sixth year of his age.

If the reader of Raleigh's history can have the patience to wade through the Jewish and Rabbinical learning which compose the half of the volume, he will find, when he comes to the Greek and Roman story, that his pains are not unrewarded. Raleigh is the best model of that ancient style which some writers would affect to revive at present. He was beheaded in 1618, aged sixty-six years.

C Camden's history of queen Elizabeth may be esteemed good composition, both for style and matter. It is written with simplicity of expression, very rare in that age, and with a regard to truth. It would not perhaps be too much to affirm, that it is among the best historical productions which have yet been composed by any Englishman. It is well known that the English have not much excelled in that kind of literature. He died in 1623, aged seventy-three years.

We shall mention the king himself at the end of these English writers; because that is his place, when considered as an author. It may safely be affirmed, that the mediocrity of James's talents in literature, joined to the great change in national taste, is one cause of that contempt under which his memory labours, and which is often carried by party-writers to a great extreme. It is remarkable how different from ours were the sentiments of the ancients with regard to learning. Of the first twenty Roman emperors, counting from Cæsar to Severus, above the half were authors; and though few of them seem to have been eminent in that profession, it is always remarked to their praise, that by their example, they encouraged literature. Not to mention Germanicus, and his daughter Agrippina, persons so nearly allied to the throne, the greater part of the classic writers, whose works remain, were men of the highest quality. As every human advantage is attended with inconveniences, the change of men's ideas in this particular may probably be ascribed to the invention of printing; which has rendered books so common, that even men of slender fortunes can have access to them.

That James was but a middling writer may

be allowed: that he was a contemptible one, can by no means be admitted. Whoever will read his *Basilicon Doron*, particularly the two last books, the true law of free monarchies, his answer to cardinal Perron, and almost all his speeches and messages to parliament, will confess him to have possessed no mean genius. If he wrote concerning witches and apparitions; who in that age did not admit the reality of these fictitious beings? If he has composed a commentary on the Revelations, and proved the pope to be antichrist; may not a similar reproach be extended to the famous Napier; and even to Newton, at a time when learning was much more advanced than during the reign of James? From the grossness of its superstitions, we may infer the ignorance of an age; but never should pronounce concerning the folly of an individual, from his admitting popular errors, consecrated by the appearance of religion.

Such a superiority do the pursuits of literature possess above every other occupation, that even he who attains but a mediocrity in them, merits the pre-eminence above those that excel the most in the common and vulgar professions. The speaker of the house of commons is usually an eminent lawyer; yet

the harangue of his majesty will always be found much superior to that of the speaker, in every parliament during this reign.

Every science, as well as polite literature, must be considered as being yet in its infancy. Scholastic learning and polemical divinity retarded the growth of all true knowledge. Sir Henry Saville, in the preamble of that deed by which he annexed a salary to the mathematical and astronomical professors in Oxford, says, that geometry was almost totally abandoned and unknown in England.⁷¹ The best learning of that age was the study of the ancients. Cavanbon, eminent for this species of knowledge, was invited over from France by James, and encouraged by a pension of three hundred pounds a year, as well as by church preferments.⁷² The famous Antonio di Dominis, archbishop of Spalatro, no despicable philosopher, came likewise into England, and afforded great triumph to the nation, by their gaining so considerable a proselyte from the papists. But the mortification followed soon after: the archbishop, though advanced to some ecclesiastical preferments,⁷³ received not encouragement sufficient to satisfy his ambition: he made his escape into Italy, where he died in confinement.

NOTES.

- 1 Rymer, tom. xvi. p. 900.
- 2 Rushworth, vol. ii. p. 473. In this last case it was the unanimous opinion of King's Bench, that the statute of Henry VII. but was many years before, and one of the high and honourable court of justice. See Coke's Rep. term Mich. 1 Cor. 1. See further Camden's Brit. vol. i. Introd. p. 24. edit. of Gibson.
- the subject.
- 4 Rymer, tom. xviii. p. 117. 594
- 5 See likewise *Decretales ecclesie*
- 6 See *Cicero de legibus*
- 7 9th of Elizabeth. See State Trials. Sir Robert Knightly, vol. vi. edit. 1st
- 8 Rymer, tom. xvi. p. 322
- 9 Rymer, tom. xviii. p. 229
- 10 Rymer, tom. xviii. p. 616
- 11 See Camden's Brit. vol. i. p. 370. Gibson's edit.
- 12 *Causes De profer fin. imp.*
- 13 Franklyn, p. 2. See also Lord Herbert's *Memoirs*
- 14 Apophthegms.
- 15 Rymer, tom. xviii. p. 632
- 16 Calhala, p. 223. first edit.
- 17 Men were then to have been an of representing the counties, 1
- less of the boroughs. A seat in the house was in itself of small importance, but the former became a point of honour among the gentlemen. Journ. 10 Feb. 1620. Towns, which had formerly neglected their right of sending members, now began to claim it. Journ. 26 Feb. 1621.
- 18 An abstract or brief declarations of his majesty's revenue, with the assignation and defalcations upon the same.
- 19 The excess was formerly greater, as appears by Salisbury's Account. See chap. 2.
- 20 Journ. 21 May, 1604
- 21 Coke's Inst. book iv. chap. 1. of fifteenths, quinquages.
- 22 Coke's Inst. book iv. chap. 1. subsidies temporary.
- 23 Journ. 11 July, 1610.
- 24 Coke's Inst. book iv. chap. 1. subsidies temporary.
- 25 See Statutes at Large.
- 26 Rymer, tom. xviii. p. 516. To the 11. cap. 28.
- 27 Rymer, tom. xv. p. 15
- in the *Memoirs of Wool*, chap. 23. p. 419.
- 28 See *Mem. of Wool*, chap. 23. p. 419.
- 29 See *Mem. of Wool*, chap. 23. p. 419.
- 30 See *Mem. of Wool*, chap. 23. p. 419.
- 31 See *Mem. of Wool*, chap. 23. p. 419.
- 32 Rymer, tom. xviii. p. 111. 1150
- 33 This volume was written about twenty-eight years before the present edition of 1794. In that short period, prices have perhaps risen more than during the preceding century and fifty years. 1 March, 1623. Stowe. See also Sir Walter Raleigh of the *Privileges of Parliament*, a *Johnston Hist. 10*
- 34 In the *Harleian Miscellany*, vol. p. 254.
- 35 Rymer, 1
- of shipping. The
- formed in *Morden*.
- 36 See William I.
- 37 See Edward
- 38 By Raleigh's account, in his disson of the first invention of shipping, the fleet, in the twenty-fourth of the queen, consisted only of thirteen ships, and probably reckoned some of which Coke called ships.
- 39 Journ. 11 March.
- 40 Mon. makes the number
- 41 Parl. Hist. vol. vi. p. 64
- 42 The trade's
- 43 The trade's
- 44 See his *Travels*, *Harleian Miscellany*, vol. ii. p. 319
- 45 Naval Tracts, p. 339. 450.
- 46 Raleigh's Observations.
- 47 Journ. 26 May, 1621.
- 48 Journ. 20 May, 1621. Raleigh, in his Observations, computes the loss at 400,000 pounds to the nation. There are about 80,000 undressed cloths, save he, exported yearly. He computes, besides, that about 100,000 pounds a-year had been lost by losses, not to mention other articles. The account of 200,000 cloths a-year exported in Elizabeth's reign.
- 49 See
- 50 Rymer, tom. p. 41
- 51 Rymer, tom. p. 419
- 52 Rymer, tom. p. 416
- 53 Stowe
- 54 Journ. 26 Nov. 1621
- 55 In 16
- 56 *Johnston Hist. lib. 19.*
- 57 *Mosselden's Circle of Comm.*
- 58 *Mosselden's Circle of Commerce*, p. 121.
- 59 *Happelaar State of England*, p. 78
- 60 *Munro's Discourse on the East-India Trade*.
- 61 *Munro's Discourse on the East-India Trade*, p. 17
- 62 See
- 63 See
- 64 See
- 65 See
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CHAPTER L.

CHARLES

A Parliament at Westminster—at Oxford.—Naval Expedition against Spain.—Second Parliament.—Impeachment of Buckingham.—Violent Measures of the Court.—War with France.—Expedition to the Isle of Rhé.

1625. **N**O sooner had Charles taken into his hands the reins of government, than he showed an impatience to assemble the great council of the nation; and he would gladly, for the sake of dispatch, have called together the same parliament which had sitted under his father, and which lay at that time under prorogation. But being told that this measure would appear unusual, he issued writs for summoning a new parliament on the 7th of May; and it was not without regret that the arrival of the princess Henrietta, whom he had espoused by proxy, obliged him to delay, by repeated prorogations, their meeting till the 12th of June, when they assembled at Westminster for the dispatch of business. The young prince, unexperienced and impolitic, regarded as sincere all the praises and caresses with which he had been loaded, while active in procuring the rupture with the house of Austria. And besides that he laboured under great necessities, he hastened with alacrity to a period when he might receive the most undoubted testimony of the dutiful attachment of his subjects. His discourse to the parliament was full of simplicity and cordiality. He lightly mentioned the occasion which he had for supply.¹ He employed no intrigue to influence the suffrages of the members. He would not even allow the officers of the crown who had seats in the house to mention any particular sum which might be expected by him. Secure of the affections of the commons, he was resolved that their bounty should be entirely their own deed; unasked, unsolicited; the genuine fruit of sincere confidence and regard.

The house of commons accordingly took into consideration the business of supply. They knew that all the money granted by the last parliament had been expended on naval and military armaments; and that great anticipations were likewise made on the revenues of the crown. They were not ignorant that Charles was loaded with a large debt, contracted by his father, who had borrowed money both from his own subjects and from foreign princes. They had learned by experience, that the public revenue could with difficulty maintain the dignity of the crown, even under the ordinary charges of government. They were sensible that the present war was

very lately the result of their own importunate applications and entreaties, and that they had solemnly engaged to support their sovereign in the management of it. They were acquainted with the difficulty of military enterprises, directed against the whole house of Austria; against the king of Spain, possessed of the greatest riches and most extensive dominions of any prince in Europe; against the emperor Ferdinand, hitherto the most fortunate monarch of his age, who had subdued and astonished Germany by the rapidity of his victories. Deep impressions, they saw, must be made by the English sword, and a vigorous offensive war be waged against these mighty potentates, ere they would resign a principality, which they had now fully subdued, and which they held in secure possession, by its being surrounded with all their other territories.

To answer, therefore, all these great and important ends; to satisfy their young king in the first request which he made them; to prove their sense of the many royal virtues, particularly economy, with which Charles was endowed; the house of commons, conducted by the wisest and ablest senators that had ever flourished in England, thought proper to confer on the king a supply of two subsidies, amounting to 112,000 pounds.²

This measure, which discovers rather a cruel mockery of Charles than any serious design of supporting him, appears so extraordinary, when considered in all its circumstances, that it naturally summons up our attention, and raises an inquiry concerning the causes of a conduct, unprecedented in an English parliament. So numerous an assembly, composed of persons of various dispositions, was not, it is probable, wholly influenced by the same motives; and few declared openly their true reason. We shall, therefore, approach nearer to the truth, if we mention all the views which the present conjuncture could suggest to them.

It is not to be doubted but spleen and ill-will against the duke of Buckingham had an influence with many. So vast and rapid a fortune so little merited could not fail to excite public envy; and, however men's hatred might have been suspended for a moment while the duke's conduct seemed to gratify their passions

and their prejudices, it was impossible for him long to preserve the affections of the people. His influence over the modesty of Charles exceeded even that which he had acquired over the weakness of James; nor was any public measure conducted but by his counsel and direction. His vehement temper prompted him to raise suddenly to the highest elevation his flatterers and dependents: and upon the least occasion of displeasure, he threw them down with equal impetuosity and violence. Implacable in his hatred; fickle in his friendships: all men were either regarded as his enemies, or dreaded soon to become such. The whole power of the kingdom was grasped by his insatiable hand; while he both engrossed the entire confidence of his master, and held, invested in his single person, the most considerable offices of the crown.

However the ill-humour of the commons might have been increased by these considerations, we are not to suppose them the sole motives. The last parliament of James, amidst all their joy and festivity, had given him a supply very disproportioned to his demand and to the occasion. And as every house of commons which was elected during forty years, succeeded to all the passions and principles of their predecessors; we ought rather to account for this obstinacy from the general situation of the kingdom during that whole period, than from any circumstances which attend this particular conjuncture.

The nation was very little accustomed at that time to the burden of taxes, and had never opened their purses in any degree for supporting their Sovereign. Even Elizabeth, notwithstanding her vigour and frugality, and the necessary wars in which she was engaged, had reason to complain of the commons in this particular; nor could the authority of that princess, which was otherwise almost absolute, ever extort from them the requisite supplies. Habits, more than reason, we find in every thing to be the governing principle of mankind. In this view likewise the sinking of the value of subsidies must be considered as a loss to the king. The parliament, swayed by custom, would not augment their number in the same proportion.

The puritanical party, though disguised, had a great authority over the kingdom; and many of the leaders among the commons had secretly embraced the rigid tenets of that sect. All these were disgusted with the court, both by the prevalence of the principles of civil liberty essential to their party, and on account of the restraint under which they were held by the established hierarchy. In order to fortify himself against the resentment of James Buckingham had affected popularity, and entered into the cabals of the puritans: but being secure of the confidence of Charles, he had

since abandoned this party; and on that account was the more exposed to their hatred and resentment. Though the religious schemes of many of the puritans, when explained, appear pretty frivolous, we are not thence to imagine that they were pursued by none but persons of weak understandings. Some men of the greatest parts and most extensive knowledge that the nation at this time produced, could not enjoy any peace of mind; because obliged to hear prayers offered up to the Divinity by a priest covered with a white linen vestment.

The match with France, and the articles in favour of catholics, which were suspected to be in the treaty, were likewise causes of disgust to this whole party: though it must be remarked, that the connexions with that crown were less agreeable to the catholics, than the alliance formerly projected with Spain, and were therefore received rather with pleasure than dissatisfaction.

To all these causes we must yet add another of considerable moment. The house of commons, we may observe, was almost entirely governed by a set of men of the most uncommon capacity, and the largest views: men who were now formed into a regular party, and united, as well by fixed aims and projects, as by the hardships which some of them had undergone in prosecution of them. Among these, we may mention the names of sir Edward Coke, sir Edwin Sandys, sir Robert Philips, sir Francis Seymour, sir Dudley Digges, sir John Elliot, sir T. Wentworth, Mr. Selden, and Mr. Pym. Animated with a warm regard to liberty, these generous patriots saw with regret an unbounded power exercised by the crown, and were resolved to seize the opportunity which the king's necessities offered them, of reducing the prerogative within more reasonable compass. Though their ancestors had blindly given way to practices and precedents favourable to kingly power, and had been able, notwithstanding, to preserve some small remains of liberty; it would be impossible, they thought, when all these pretensions were methodized, and prosecuted by the increasing knowledge of the age, to maintain any shadow of popular government, in opposition to such unlimited authority in the sovereign. It was necessary to fix a choice: either to abandon entirely the privileges of the people, or to secure them by firmer and more precise barriers than the constitution had hitherto provided for them. In this dilemma, men of such aspiring geniuses, and such independent fortunes, could not long deliberate: they boldly embraced the side of freedom, and resolved to grant no supplies to their necessitous prince without extorting concessions in favour of civil liberty. The end they esteemed beneficent and noble: the means, regular and con-

stitutional. To grant or refuse supplies was the undoubted privilege of the commons. And as all human governments, particularly those of a mixed frame, are in continual fluctuation, it was as natural in their opinion, and allowable, for popular assemblies to take advantage of favourable incidents, in order to secure the subject; as for the monarchs, in order to extend their own authority. With pleasure they beheld the king involved in a foreign war, which rendered him every day more dependent on the parliament; while at the same time the situation of the kingdom, even without any military preparations, gave it sufficient security against all invasion from foreigners. Perhaps too, it had partly proceeded from expectations of this nature, that the popular leaders had been so urgent for a rupture with Spain; nor is it credible, that religious zeal could so far have blinded all of them as to make them discover in such a measure any appearance of necessity, or any hopes of success.

But, however natural all these sentiments might appear to the country-party, it is not to be imagined that Charles would entertain the same ideas. Strongly prejudiced in favour of the duke, whom he had heard so highly extolled in parliament, he could not conjecture the cause of so sudden an alteration in their opinions. And when the war which they themselves had so earnestly solicited, was at last commenced, the immediate desertion of their sovereign could not but seem very unaccountable. Even though no farther motive had been suspected, the refusal of supply in such circumstances would naturally to him appear cruel and deceitful: but when he perceived that this measure proceeded from an intention of encroaching on his authority, he failed not to regard these claims as highly criminal and traitorous. Those lofty ideas of monarchical power which were very commonly adopted during that age, and to which the ambiguous nature of the English constitution gave so plausible an appearance, were firmly riveted in Charles; and, however moderate his temper, the natural and unavoidable prepossessions of self-love, joined to the late uniform precedents in favour of prerogative, had made him regard his political tenets as certain and uncontroverted. Taught to consider even the ancient laws and constitution more as lines to direct his conduct, than barriers to withstand his power; a conspiracy to erect new ramparts in order to straiten his authority, appeared but one degree removed from open sedition and rebellion. So atrocious in his eyes was such a design, that he seems even unwilling to impute it to the commons: and though he was constrained to adjourn the parliament (11th July), by reason of the plague, which at that time raged in London; he immediately re-assembled them at Oxford, (1st Aug.),

and made a new attempt to gain from them some supplies in such an urgent necessity.

• PARLIAMENT AT OXFORD.

CHARLES now found himself obliged to depart from that delicacy which he had formerly maintained. By himself or his ministers, he entered into a particular detail both of the alliances which he had formed, and of the military operations which he had projected.³ He told the parliament, that by a promise of subsidies, he had engaged the king of Denmark to take part in the war; that this monarch intended to enter Germany by the north, and to rouse to arms those princes who impatiently longed for an opportunity of asserting the liberty of the empire; that Mansfeldt had undertaken to penetrate with an English army into the Palatinate, and by that quarter to excite the members of the evangelical Union; that the States must be supported in the unequal warfare which they maintained with Spain; that no less a sum than 700,000 pounds a-year had been found, by computation, requisite for all these purposes; that the maintenance of the fleet, and the defence of Ireland, demanded an annual expence of 400,000 pounds; that he himself had already exhausted and anticipated in the public service his whole revenue, and had scarcely left sufficient for the daily subsistence of himself and his family;⁴ that on his accession to the crown, he found a debt of above 300,000 pounds, contracted by his father in support of the palatine; and that, while prince of Wales, he had himself contracted debts, notwithstanding his great frugality, to the amount of 70,000 pounds, which he had expended entirely on naval and military armaments. After mentioning all these facts, the king even condescended to use entreaties. He said, that this request was the first that he had ever made them; that he was young and in the commencement of his reign; and if he now met with kind and dutiful usage, it would endear to him the use of parliaments, and would for ever preserve an entire harmony between him and his people.⁵

To these reasons the commons remained inexorable. Notwithstanding that the king's measures, on the supposition of a foreign war, which they had constantly demanded, were altogether unexceptionable, they obstinately refused any farther aid. Some members favourable to the court having insisted on an addition of two fifteenths to the former supply, even this pittance was refused;⁶ though it was known that a fleet and army were lying at Portsmouth in great want of pay and provisions; and that Buckingham, the admiral, and the treasurer of the navy, had advanced on their own credit near a hundred thousand pounds for the sea-service.⁷ Besides all their other

motives, the house of commons had made a discovery which, as they wanted but a pretence for their refusal, inflamed them against the court and against the duke of Buckingham.

When James deserted the Spanish alliance, and courted that of France, he had promised to furnish Lewis, who was entirely destitute of naval force, with one ship of war, together with seven armed vessels hired from the merchants. These the French court had pretended they would employ against the Genoese, who being firm and useful allies to the Spanish monarchy, were naturally regarded with an evil eye both by the king of France and of England. When these vessels by Charles's orders arrived at Diepe, there arose a strong suspicion that they were to serve against Rochelle. The sailors were inflamed. That race of men, who are at present both careless and ignorant in all matters of religion, were at that time doubly ignorant. They drew up a remonstrance to Pennington, their commander; and signing all their names in a circle, lest he should discover the ringleaders, they laid it under his prayer-book. Pennington declared, that he would rather be hanged in England for disobedience, than fight against his brother protestants in France. The whole squadron sailed immediately to the Downs. There they received new orders from Buckingham, lord admiral, to return to Diepe. As the duke knew that authority alone would not suffice, he employed much art and many subtilties to engage them to obedience; and a rumour which was spread that peace had been concluded between the French king and the hugonots, assisted him in his purpose. When they arrived at Diepe they found that they had been deceived. Sir Ferdinando Gorges, who commanded one of the vessels, broke through and returned to England. All the officers and sailors of all the other ships, notwithstanding great offers made them by the French, immediately deserted. One gunner alone preferred duty towards his king to the cause of religion; and he was afterwards killed in charging a cannon before Rochelle.⁸ The care which historians have taken to record this frivolous event, proves with what pleasure the news was received by the nation.

The house of commons, when informed of these transactions, showed the same attachment with the sailors for the protestant religion; nor was their zeal much better guided by reason and sound policy. It was not considered, that it was highly probable the king and the duke themselves had here been deceived by the artifices of France, nor had they any hostile intention against the hugonots; that were it otherwise, yet might their measures be justified by the most obvious and most received maxims of civil policy; that if the force of Spain were really so exorbitant as

the commons imagined, the French monarch was the only prince that could oppose its progress, and preserve the balance of Europe; that his power was at present fettered by the hugonots, who being possessed of many privileges and even of fortified towns, formed an empire within his empire, and kept him in perpetual jealousy and inquietude; that an insurrection had been at that time wantonly and voluntarily formed by their leaders, who, being disgusted in some court intrigue, took advantage of the never-failing pretence of religion, in order to cover their rebellion; that the Dutch, influenced by these views, had ordered a squadron of twenty ships to join the French fleet, employed against the inhabitants of Rochelle;⁹ that the Spanish monarch, sensible of the same consequences, secretly supported the protestants in France; and that all princes had ever sacrificed to reasons of state the interests of their religion in foreign countries. All these obvious considerations had no influence. Great murmurs and discontents still prevailed in parliament. The hugonots, though they had no ground of complaint against the French court, were thought to be as much entitled to assistance from England, as if they had taken arms in defence of their liberties and religion against the persecuting rage of the catholics. And it plainly appears from this incident, as well as from many others, that of all European nations, the British were at that time, and till long after, the most under the influence of that religious spirit which tends rather to inflame bigotry than increase peace and mutual charity.

On this occasion, the commons renewed their eternal complaints against the growth of popery, which was ever the chief of their grievances, and now their only one.¹⁰ They demanded a strict execution of the penal laws against the catholics, and remonstrated against the late pardons granted to priests.¹¹ They attacked Montague, one of the king's chaplains, on account of a moderate book which he had lately published, and which, to their great disgust, saved virtuous catholics, as well as other christians, from eternal torments.¹² Charles gave them a gracious and a compliant answer to all their remonstrances. He was, however, in his heart, extremely averse to these furious measures. Though a determined protestant by principle as well as inclination, he had entertained no violent horror against popery; and a little humanity, he thought, was due by the nation to the religion of their ancestors. That degree of liberty which is now indulged to catholics, though a party much more obnoxious than during the reign of the Stuarts, it suited neither with Charles's sentiments, nor the humour of that age, to allow them. An abatement of the more rigorous laws was all he intended; and his

engagements with France, notwithstanding that their regular execution had never been promised or expected, required of him some indulgence. But so unfortunate was this prince, that no measure embraced during his whole reign was ever attended with more unhappy and more fatal consequences.

The extreme rage against popery was a sure characteristic of puritanism. The house of commons discovered other infallible symptoms of the prevalence of that party. They petitioned the king for replacing such able clergy as had been silenced for want of conformity to the ceremonies.¹³ They also enacted laws for the strict observance of Sunday, which the puritans affected to call the Sabbath, and which they sanctified by the most melancholy indolence.¹⁴ It is to be remarked, that the different appellations of this festival were at that time known symbols of the different parties.

The king finding that the parliament was resolved to grant him no supply, and would furnish him with nothing but empty protestations of duty,¹⁵ or disagreeable complaints of grievances; took advantage of the plague,¹⁶ which began to appear at Oxford, and on that pretence immediately dissolved them. By finishing the session with a dissolution, instead of a prorogation, he sufficiently expressed his displeasure at their conduct.

NAVAL EXPEDITION AGAINST SPAIN.

To supply the want of parliamentary aids, Charles issued privy-seals for borrowing money from his subjects (12th Aug.)¹⁷ The advantage reaped by this expedient was a small compensation for the disgust which it occasioned: by means, however, of that supply, and by other expedients, he was, though with difficulty, enabled to equip his fleet (1st Oct.). It consisted of eighty vessels great and small; and carried on board an army of 10,000 men. Sir Edward Cecil, lately created viscount Wimbleton, was intrusted with the command. He sailed immediately for Cadiz, and found the bay full of Spanish ships of great value. He either neglected to attack these ships, or attempted it preposterously. The army was landed and a fort taken: but the undisciplined soldiers, finding store of wine, could not be restrained from the utmost excesses. Farther stay appearing fruitless, they were rebarked; and the fleet put to sea with an intention of intercepting the Spanish galleons. But the plague having seized the seamen and soldiers, they were obliged to abandon all hopes of this prize, and return to England (in November). Loud complaints were made against the court for intrusting so important a command to a man like Cecil, whom, though he possessed great experience, the people, judging by the event, esteemed of slender capacity.¹⁸

SECOND PARLIAMENT. 1626.

CHARLES, having failed of so rich a prize, was obliged again to have recourse to a parliament. Though the ill success of his enterprises diminished his authority, and showed every day more plainly the imprudence of the Spanish war; though the increase of his necessities rendered him more dependent, and more exposed to the encroachments of the commons; he was resolved to try once more that regular and constitutional expedient for supply. Perhaps too, a little political art, which at that time he practised, was much trusted to. He had named four popular leaders, sheriffs of counties; sir Edward Coke, sir Robert Phillips, sir Thomas Wentworth, and sir Francis Seymour; and, though the question had been formerly much contested,¹⁹ he thought that he had by that means incapacitated them from being elected members. But his intention being so evident, rather put the commons more upon their guard. Enow of patriots still remained to keep up the ill-humour of the house; and men needed but little instruction or rhetoric to recommend to them practices which increased their own importance and consideration. The weakness of the court also could not more evidently appear than by its being reduced to use so ineffectual an expedient, in order to obtain an influence over the commons.

The views, therefore, of the last parliament were immediately adopted (6th Feb.); as if the same men had been every where elected, and no time had intervened since their meeting. When the king laid before the house his necessities, and asked for supply, they immediately voted him three subsidies and three fifteenths; and though they afterwards added one subsidy more, the sum was little proportioned to the greatness of the occasion, and ill fitted to promote those views of success and glory for which the young prince in his first enterprise so ardently longed. But this circumstance was not the most disagreeable one. The supply was only voted by the commons. The passing of that vote into a law was reserved till the end of the session.²⁰ A condition was thereby made, in a very undisguised manner, with their sovereign. Under colour of redressing grievances, which during this short reign could not be very numerous, they were to proceed in regulating and controlling every part of government which displeased them: and if the king either cut them short in this undertaking, or refused compliance with their demands, he must not expect any supply from the commons. Great dissatisfaction was expressed by Charles at a treatment which he deemed so harsh and undutiful.²¹ But his urgent necessities obliged him to submit; and he waited with patience, observing to what side they would turn themselves.

IMPEACHMENT OF BUCKINGHAM.

THE duke of Buckingham, formerly obnoxious to the public, became every day more unpopular, by the symptoms which appeared both of his want of temper and prudence, and of the uncontrolled ascendant which he had acquired over his master.⁹² Two violent attacks he was obliged this session to sustain; one from the earl of Bristol, another from the house of commons.

As long as James lived, Bristol, secure of the concealed favour of that monarch, had expressed all duty and obedience; in expectation that an opportunity would offer of reinstating himself in his former credit and authority. Even after Charles's accession, he despaired not. He submitted to the king's commands of remaining at his country-seat, and of absenting himself from parliament. Many trials he made to regain the good opinion of his master; but finding them all fruitless, and observing Charles to be entirely governed by Buckingham, his implacable enemy, he resolved no longer to keep any measures with the court. A new spirit, he saw, and a new power, arising in the nation; and to these he was determined for the future to trust for his security and protection.

When the parliament was summoned, Charles, by a stretch of prerogative, had given orders that *n. writ*, as is customary, should be sent to Bristol.⁹³ That nobleman applied to the house of lords by petition; and craved their good offices with the king for obtaining what was his due as a peer of the realm. His writ was sent him, but accompanied with a letter from the lord keeper, Coventry, commanding him in the king's name to absent himself from parliament. This letter Bristol conveyed to the lords, and asked advice how to proceed in so delicate a situation.⁹⁴ The king's prohibition was withdrawn, and Bristol took his seat. Provoked at these repeated instances of vigour, which the court denominated contumacy, Charles ordered his attorney-general to enter an accusation of high treason against him. By way of recrimination, Bristol accused Buckingham of high treason. Both the earl's defence of himself and accusation of the duke remain;⁹⁵ and, together with some original letters still extant, contain the fullest and most authentic account of all the negotiations with the house of Austria. From the whole, the great imprudence of the duke evidently appears, and the sway of his ungovernable passions; but it would be difficult to collect thence any action which in the eye of the law could be deemed a crime; much less could subject him to the penalty of treason.

The impeachment of the commons was still less dangerous to the duke, were it estimated by the standard of law and equity. The

house, after having voted upon some queries of Dr. Turner's, *that common fame was a sufficient ground of accusation by the commons*,⁹⁶ proceeded to frame regular articles against Buckingham. They accused him of having united many offices in his person; of having bought two of them; of neglecting to guard the seas, inasmuch that many merchant-ships had fallen into the hands of the enemy; of delivering ships to the French king in order to serve against the hugonots; of being employed in the sale of honours and offices; of accepting extensive grants from the crown; of procuring many titles of honour for his kindred; and of administering physic to the late king without acquainting his physicians. All these articles appear, from comparing the accusation and reply, to be either frivolous, or false, or both.⁹⁷ The only charge which could be regarded as important was, that he had extorted a sum of ten thousand pounds from the East-India company, and that he had confiscated some goods belonging to French merchants, on pretence of their being the property of Spanish. The impeachment never came to a full determination; so that it is difficult for us to give a decisive opinion with regard to these articles. But it must be confessed, that the duke's answer in these particulars, as in all the rest, is so clear and satisfactory, that it is impossible to refuse our assent to it.⁹⁸ His faults and blemishes were in many respects very great; but rapacity and avarice were vices with which he was entirely unacquainted.

It is remarkable that the commons, though so much at a loss to find articles of charge against Buckingham, never adopted Bristol's accusation, or impeached the duke for his conduct in the Spanish treaty, the most blamable circumstance in his whole life. He had reason to believe the Spaniards sincere in their professions; yet, in order to gratify his private passions, he had hurried his master and his country into a war pernicious to the interests of both. But so rivetted throughout the nation were the prejudices with regard to Spanish deceit and falsehood, that very few of the commons seem as yet to have been convinced that they had been seduced by Buckingham's narrative: a certain proof that a discovery of this nature was not, as is imagined by several historians, the cause of so sudden and surprising a variation in the measures of the parliament. [See note UU, at the end of this Vol.]

While the commons were thus warmly engaged against Buckingham, the king seemed desirous of embracing every opportunity by which he could express a contempt and disregard for them. No one was at that time sufficiently sensible of the great weight which the commons bore in the balance of the constitution. The history of England had never

hitherto afforded one instance where any great movement or revolution had proceeded from the lower house. And as their rank, both considered in a body and as individuals, was but the second in the kingdom; nothing less than fatal experience could engage the English princes to pay a due regard to the inclinations of that formidable assembly.

The earl of Suffolk, chancellor of the university of Cambridge, dying about this time, Buckingham, though lying under impeachment, was yet, by means of court-interest, chosen in his place. The commons resented and loudly complained of this affront; and the more to enrage them, the king himself wrote a letter to the university, extolling the duke, and giving them thanks for his election.²⁹

The lord-keeper, in the king's name, expressly commanded the house not to meddle with his minister and servant, Buckingham; and ordered them to finish, in a few days, the bill which they had begun for the subsidies, and to make some addition to them; otherwise they must not expect to sit any longer.³⁰ And though these harsh commands were endeavoured to be explained and mollified, a few days after, by a speech of Buckingham's,³¹ they failed not to leave a disagreeable impression behind them.

Besides a more stately style which Charles in general affected to this parliament than to the last, he went so far in a message, as to threaten the commons, that if they did not furnish him with supplies, he should be obliged to try *new counsels*. This language was sufficiently clear: yet, lest any ambiguity should remain, sir Dudley Carleton, vice-chamberlain, took care to explain it. "I pray you, consider," said he, "what these new counsels are, or may be. I fear to declare those that I conceive. In all Christian kingdoms, you know that parliaments were in use antiently, by which those kingdoms were governed in a most flourishing manner; until the monarchs began to know their own strength, and seeing the turbulent spirit of their parliaments, at length they by little and little began to stand on their prerogatives, and at last overthrew the parliaments, throughout Christendom, except here only with us.—Let us be careful then to preserve the king's good opinion of parliaments, which bringeth such happiness to the nation, and makes us envied of all others, while there is this sweetness between his majesty and the commons; lest we lose the repute of a free people by our turbulency in parliament."³² These imprudent suggestions rather gave warning than struck terror. A precarious liberty, the commons thought, which was to be preserved by unlimited complaisance, was no liberty at all. And it was necessary, while yet in their power, to secure the constitution by such invincible barriers, that no king or

minister should ever, for the future, dare to speak such a language to any parliament, or even entertain such a project against them.

Two members of the house, sir Dudley Digges and sir John Elliott, who had been employed as managers of the impeachment against the duke, were thrown into prison.³³ The commons immediately declared, that they would proceed no farther upon business, till they had satisfaction in their privileges. Charles alleged, as the reason of this measure, certain seditious expressions, which, he said, had, in their accusation of the duke, dropped from these members. Upon inquiry it appeared that no such expressions had been used.³⁴ The members were released, and the king reaped no other benefit from this attempt than to exasperate the house still farther, and to show some degree of precipitancy and indiscretion.

Moved by this example, the house of peers were roused from their inactivity, and claimed liberty for the earl of Arundel, who had been lately confined in the Tower. After many fruitless evasions, the king, though somewhat ungracefully, was at last obliged to comply.³⁵ And in this incident it sufficiently appeared, that the lords, how little soever inclined to popular courses, were not wanting in a just sense of their own dignity.

The ill-humour of the commons, thus wantonly irritated by the court, and finding no gratification in the legal impeachment of Buckingham, sought other objects, on which it might exert itself. The never-failing cry of popery here served them in stead. They again claimed the execution of the penal laws against *atholies*; and they presented to the king a list of persons intrusted with offices, most of them insignificant, who were either convicted or suspected recusants.³⁶ In this particular, they had, perhaps, some reason to blame the king's conduct. He had promised to the last house of commons a redress of this religious grievance: but he was apt, in imitation of his father, to imagine that the parliament, when they failed of supplying his necessities, had, on their part, freed him from the obligation of a strict performance. A new odium, likewise, by these representations, was attempted to be thrown upon Buckingham. His mother, who had great influence over him, was a professed catholic; his wife was not free from suspicion; and the indulgence given to catholics was of course supposed to proceed entirely from his credit and authority. So violent was the bigotry of the times, that it was thought a sufficient reason for disqualifying any one from holding an office, that his wife, or relations or companions were papists, though he himself was a conformist.³⁷

It is remarkable, that persecution was here chiefly pushed on by laymen; and that the

church was willing to have granted more liberty than would be allowed by the commons. The reconciling doctrines likewise of Montague failed not anew to meet with severe censures from that zealous assembly.³⁸

The next attack made by the commons, had it prevailed, would have proved decisive. They were preparing a remonstrance against the levying of tonnage and poundage without consent of parliament. This article, together with the new impositions laid on merchandise by James, constituted near half of the crown revenues; and by depriving the king of these resources, they would have reduced him to total subjection and dependence. While they retained such a pledge, besides the supply already promised, they were sure that nothing could be refused them. Though after canvassing the matter near three months, they found themselves utterly incapable of fixing any legal crime upon the duke, they regarded him as an unable and perhaps a dangerous minister; and they intended to present a petition, which would then have been equivalent to a command, for removing him from his majesty's person and councils.³⁹

The king was alarmed at the yoke which he saw prepared for him. Buckingham's sole guilt, he thought, was the being his friend and favourite.⁴⁰ All the other complaints against him were mere pretences. A little before, he was the idol of the people. No new crime had since been discovered. After the most diligent inquiry, prompted by the greatest malice, the smallest appearance of guilt could not be fixed upon him. What idea, he asked, must all mankind entertain of his honour, should he sacrifice his innocent friend to pecuniary considerations? What farther authority should he retain in the nation, were he capable, in the beginning of his reign, to give, in so signal an instance, such matter of triumph to his enemies, and discouragement to his adherents? To-day the commons pretend to wrest his minister from him. To-morrow they will attack some branch of his prerogative. By their remonstrances, and promises, and protestations, they had engaged the crown in a war. As soon as they saw a retreat impossible, without waiting for new incidents, without covering themselves with new pretences, they immediately deserted him, and refused him all reasonable supply. It was evident, that they desired nothing so much as to see him plunged in inextricable difficulties, of which they intended to take advantage. To such deep perfidy, to such unbounded usurpations, it was necessary to oppose a proper firmness and resolution. All encroachments on supreme power could only be resisted successfully on the first attempt. The sovereign authority was, with some difficulty, reduced from its ancient and legal height; but when once pushed

downwards, it soon became contemptible, and would easily, by the continuance of the same effort, now encouraged by success, be carried to the lowest extremity.

Prompted by these plausible motives, Charles was determined immediately to dissolve the parliament. When this resolution was known, the house of peers, whose compliant behaviour entitled them to some authority with him, endeavoured to interpose;⁴¹ and they petitioned him, that he would allow the parliament to sit some time longer. *Not a moment longer*, cried the king hastily;⁴² and he soon after ended the session by a dissolution.

As this measure was foreseen, the commons took care to finish and disperse their remonstrance, which they intended as a justification of their conduct to the people. The king, likewise, on his part, published a declaration, (15th June,) in which he gave the reasons of his disagreement with the parliament, and of their sudden dissolution, before they had time to conclude any one act.⁴³ These papers furnished the partisans on both sides with ample matter of apology or of recrimination. But all impartial men judged, "That the commons, though they had not as yet violated any law, yet by their unpliability and independence, were insensibly changing, perhaps improving, the spirit and genius, while they preserved the form, of the constitution: and that the king was acting altogether without any plan; running on in a road surrounded on all sides with the most dangerous precipices, and concerting no proper measures, either for submitting to the obstinacy of the commons, or for subduing it."

After a breach with the parliament, which seemed so difficult to repair, the only rational counsel which Charles could pursue, was, immediately to conclude a peace with Spain, and to render himself, as far as possible, independent of his people, who discovered so little inclination to support him, or rather who seem to have formed a determined resolution to abridge his authority. Nothing could be more easy in the execution than this measure, nor more agreeable to his own and to national interest. But, besides the treaties and engagements which he had entered into with Holland and Denmark, the king's thoughts were at this time averse to pacific counsels. There are two circumstances in Charles's character, seemingly incompatible, which attended him during the whole course of his reign, and were in part the cause of his misfortunes: he was very steady and even obstinate in his purpose; and he was easily governed, by reason of his facility, and of his deference to men much inferior to himself both in morals and understanding. His great ends he inflexibly maintained: but the means of attaining them he readily received from his ministers and favourites, though not

always fortunate in his choice. The violent, impetuous Buckingham, inflamed with a desire of revenge for injuries which he himself had committed, and animated with a love of glory which he had not talents to merit, had, at this time, notwithstanding his profuse licentious life, acquired an invincible ascendant over the virtuous and gentle temper of the king.

VIOLENT MEASURES OF THE COURT.

THE *new counsels*, which Charles had mentioned to the parliament, were now to be tried, in order to supply his necessities. Had he possessed any military force, on which he could rely, it is not improbable, that he had at once taken off the mask, and governed without any regard to parliamentary privileges: so high an idea had he received of kingly prerogative, and so contemptible a notion of the rights of those popular assemblies, from which, he very naturally thought, he had met with such ill usage. But his army was new levied, ill paid, and worse disciplined; nowise superior to the militia, who were much more numerous, and who were in a great measure under the influence of the country gentlemen. It behoved him, therefore, to proceed cautiously, and to cover his enterprises under the pretence of ancient precedents, which, considering the great authority commonly enjoyed by his predecessors, could not be wanting to himself.

A commission was openly granted, to compound with the catholics, and agree for dispensing with the penal laws enacted against them.⁴⁴ By this expedient, the king both filled his coffers, and gratified his inclination of giving indulgence to these religionists: but he could not have employed any branch of prerogative which would have been more disagreeable, or would have appeared more exceptionable to his protestant subjects.

From the nobility he desired assistance: from the city he required a loan of a hundred thousand pounds. The former contributed slowly: but the latter, covering themselves under many pretences and excuses, gave him at last a flat refusal.⁴⁵

In order to equip a fleet, a distribution, by order of council, was made to all the maritime towns; and each of them was required, with the assistance of the adjacent counties, to arm so many vessels as were appointed them.⁴⁶ The city of London was rated at twenty ships. This is the first appearance in Charles's reign, of ship-money; a taxation which had once been imposed by Elizabeth, but which afterwards, when carried some steps farther by Charles, created such violent discontents.

Of some, loans were required:⁴⁷ to others, the way of benevolence was proposed: methods supported by precedent, but always invidious,

even in times more submissive and compliant. In the most absolute governments such expedients would be regarded as irregular and unequal.

These counsels for supply were conducted with some moderation; till news arrived that a great battle was fought (25th Aug.) between the king of Denmark and count Tilly, the Imperial general; in which the former was totally defeated. Money now, more than ever, became necessary, in order to repair so great a breach in the alliance, and to support a prince who was so nearly allied to Charles, and who had been engaged in the war chiefly by the intrigues, solicitations, and promises of the English monarch. After some deliberation, an act of council was passed, importing, that as the urgency of affairs admitted not the way of parliament, the most speedy, equal, and convenient method of supply was by a GENERAL LOAN from the subject, according as every man was assessed in the rolls of the last subsidy. That precise sum was required which each would have paid, had the vote of four subsidies passed into a law: but care was taken to inform the people, that the sums exacted were not to be called subsidies, but loans.⁴⁸ Had any doubt remained, whether forced loans, however authorised by precedent, and even by statute, were a violation of liberty, and must, by necessary consequence, render all parliaments superfluous; this was the proper expedient for opening the eyes of the whole nation. The example of Henry VIII. who had once, in his arbitrary reign, practised a like method of levying a regular supply, was generally deemed a very insufficient authority.

The commissioners appointed to levy these loans, among other articles of secret instruction, were enjoined, "If any shall refuse to lend, and shall make delays or excuses, and persist in his obstinacy, that they examine him upon oath, whether he has been dealt with to deny or refuse to lend, or make an excuse for not lending? Who has dealt with him, and what speeches or persuasions were used to that purpose? And that they also shall charge every such person, in his majesty's name, upon his allegiance, not to disclose to any one what his answer was."⁴⁹ So violent an inquisitorial power, so impracticable an attempt at secrecy, were the objects of indignation, and even, in some degree, of ridicule.

That religious prejudices might support civil authority, sermons were preached by Sibthorpe and Manwaring, in favour of the general loan; and the court industriously spread them over the kingdom. Passive obedience was there recommended in its full extent, the whole authority of the state was represented as belonging to the king alone, and all limitations of law and a constitution were rejected as seditious and impious.⁵⁰ So openly was this

doctrine espoused by the court, that archbishop Abbot, a popular and virtuous prelate, was, because he refused to licence Sibthorpe's sermon, suspended from the exercise of his office, banished from London, and confined to one of his country seats.⁵¹ Abbot's principles of liberty, and his opposition to Buckingham, had always rendered him very ungracious at court, and had acquired him the character of a puritan. For it is remarkable, that this party made the privileges of the nation as much a part of their religion, as the church party did the prerogatives of the crown; and nothing tended farther to recommend among the people, who always take opinions in the lump, the whole system and all the principles of the former sect. The king soon found, by fatal experience, that this engine of religion, which with so little necessity was introduced into politics, falling under more fortunate management, was played with the most terrible success against him.

While the king, instigated by anger and necessity, thus employed the whole extent of his prerogative, the spirit of the people was far from being subdued. Throughout England, many refused these loans; some were even active in encouraging their neighbours to insist upon their common rights and privileges. By warrant of the council *these* were thrown into prison.⁵² Most of them with patience submitted to confinement, or applied by petition to the king, who commonly released them. Five gentlemen alone, sir Thomas Darnel, sir John Corbet, sir Walter Earl, sir John Heveningham, and sir Edmund Hamden, had spirit enough, at their own hazard and expence, to defend the public liberties, and to demand releasement, not as a favour from the court, but as their due, by the laws of their country.⁵³ No particular cause was assigned of their commitment. The special command alone of the king and council was pleaded; and it was asserted, that, by law, this was not sufficient reason for refusing bail or releasement to the prisoners.

In November, this question was brought to a solemn trial before the king's bench; and the whole kingdom was attentive to the issue of a cause, which was of much greater consequence than the event of many battles.

By the debates on this subject it appeared, beyond controversy, to the nation, that their ancestors had been so jealous of personal liberty, as to secure it against arbitrary power in the crown, by six several statutes,⁵⁴ and by an article⁵⁵ of the GREAT CHARTER itself, the most sacred foundation of the laws and constitution. But the kings of England, who had not been able to prevent the enacting of these laws, had sufficient authority, when the tide of liberty was spent, to obstruct their regular execution; and they deemed it super-

fluous to attempt the formal repeal of statutes which they found so many expedients and pretences to elude. Turbulent and seditious times frequently occurred, when the safety of the people absolutely required the confinement of factious leaders; and by the genius of the old constitution, the prince, of himself, was accustomed to assume every branch of prerogative, which was found necessary for the preservation of public peace and of his own authority. Expediency at other times would cover itself under the appearance of necessity; and, in proportion as precedents multiplied, the will alone of the sovereign was sufficient to supply the place of expediency, of which he constituted himself the sole judge. In an age and nation where the power of a turbulent nobility prevailed, and where the king had no settled military force, the only means that could maintain public peace, was the exertion of such prompt and discretionary powers in the crown; and the public itself had become so sensible of the necessity, that those ancient laws in favour of personal liberty, while often violated, had never been challenged or revived, during the course of near three centuries. Though rebellious subjects had frequently, in the open field, resisted the king's authority; no person had been found so bold, when confined and at mercy, as to set himself in opposition to regal power, and to claim the protection of the constitution against the will of the sovereign. It was not till this age, when the spirit of liberty was universally diffused, when the principles of government were nearly reduced to a system, when the tempers of men, more civilized, seemed less to require those violent exertions of prerogative, that these five gentlemen above mentioned, by a noble effort, ventured, in this national cause, to bring the question to a final determination. And the king was astonished to observe, that a power exercised by his predecessors, almost without interruption, was found, upon trial, to be directly opposite to the clearest laws, and supported by few undoubted precedents in courts of judicature. These had scarcely, in any instance, refused bail upon commitments by special command of the king; because the persons committed had seldom or never dared to demand it, at least to insist on their demand.

1627. Sir Rauldolph Crew, chief justice, had been displaced, as unfit for the purposes of the court: sir Nicholas Hyde, esteemed more obsequious, had obtained that high office; yet the judges, by his direction, went no farther than to remand the gentlemen to prison, and refuse the bail which was offered.⁵⁶ Heath, the attorney-general, insisted, that the court, in imitation of the judges in the 34th of Elizabeth,⁵⁷ should enter a general judgment, that no bail could be granted, upon a commitment by the king or council.⁵⁸ But the judges

wisely declined complying. The nation, they saw, was already to the last degree exasperated. In the present disposition of men's minds, universal complaints prevailed, as if the kingdom were reduced to slavery. And the most invidious prerogative of the crown, it was said, that of imprisoning the subject, is here openly and solemnly, and in numerous instances, exercised for the most invidious purpose; in order to extort loans, or rather subsidies, without consent of parliament.

But this was not the only hardship of which the nation then thought they had reason to complain. The army, which had made the fruitless expedition to Cadiz, was dispersed throughout the kingdom; and money was levied upon the counties for the payment of their quarters.⁵⁹

The soldiers were billeted upon private houses, contrary to custom, which required that, in all ordinary cases, they should be quartered in inns and public houses.⁶⁰

Those who had refused or delayed the loan, were sure to be loaded with a great number of those dangerous and disorderly guests.

Many too, of low condition, who had shown a refractory disposition, were pressed into the service, and enlisted in the fleet or army.⁶¹ Sir Peter Hayman, for the same reason, was dispatched on an errand to the Palatinate.⁶² Glauville, an eminent lawyer, had been obliged, during the former interval of parliament, to accept of an office in the navy.⁶³

The soldiers, ill paid and undisciplined, committed many crimes and outrages, and much increased the public discontents. To prevent these disorders, martial law, so requisite to the support of discipline, was exercised upon the soldiers. By a contradiction, which is natural when the people are exasperated, the outrages of the army were complained of; the remedy was thought still more intolerable.⁶⁴ Though the expediency, if we are not rather to say the necessity of martial law, had formerly been deemed, of itself, a sufficient ground for establishing it; men, now become more jealous of liberty, and more refined reasoners in questions of government, regarded as illegal and arbitrary, every exercise of authority which was not supported by express statute or uninterrupted precedent.

It may safely be affirmed, that, except a few courtiers or ecclesiastics, all men were displeased with this high exertion of prerogative, and this new spirit of administration. Though ancient precedents were pleaded in favour of the king's measures; a considerable difference, upon comparison, was observed between the cases. Acts of power, however irregular, might casually, and at intervals, be exercised by a prince, for the sake of dispatch or expediency; and yet liberty still subsist in some tolerable degree under his administra-

tion. But where all these were reduced into a system, were exerted without interruption, were studiously sought for, in order to supply the place of laws, and subdue the refractory spirit of the nation, it was necessary to find some speedy remedy, or finally to abandon all hopes of preserving the freedom of the constitution. Nor did moderate men esteem the provocation which the king had received, though great, sufficient to warrant all these violent measures. The commons, as yet, had nowise invaded his authority: they had only exercised, as best pleased them, their own privileges. Was he justifiable, because from one house of parliament he had met with harsh and unkind treatment, to make in revenge an invasion on the rights and liberties of the whole nation?

WAR WITH FRANCE.

BUT great was at this time the surprise of all men, when Charles, baffled in every attempt against the Austrian dominions, embroiled with his own subjects, unsupplied with any treasure but what he extorted by the most invidious and most dangerous measures; as if the half of Europe; now his enemy, were not sufficient for the exercise of military prowess; wantonly attacked France, the other great kingdom in his neighbourhood, and engaged at once in war against these two powers, whose interests were hitherto deemed so incompatible, that they could never, it was thought, agree either in the same friendships or enmities. All authentic memoirs, both foreign and domestic, ascribe to Buckingham's counsels, this war with France, and represent him as actuated by motives, which would appear incredible, were we not acquainted with the violence and temerity of his character.

The three great monarchies of Europe were at this time ruled by young princes, Philip, Lewis, and Charles, who were nearly of the same age, and who had resigned the government of themselves, and of their kingdoms, to their creatures and ministers, Olivarez, Richelieu, and Buckingham. The people, whom the moderate temper or narrow genius of their princes would have allowed to remain for ever in tranquillity, were strongly agitated by the emulation and jealousy of the ministers. Above all, the towering spirit of Richelieu, incapable of rest, promised an active age, and gave indications of great revolutions throughout all Europe.

This man had no sooner, by suppleness and intrigue, gotten possession of the reins of government, than he formed at once three mighty projects; to subdue the turbulent spirits of the great, to reduce the rebellious hugonots, and to curb the encroaching power of the house of Austria. Undaunted and implacable, prudent

and active, he braved all the opposition of the French princes and nobles in the prosecution of his vengeance; he discovered and dissipated all their secret cabals and conspiracies. His sovereign himself he held in subjection, while he exalted the throne. The people, while they lost their liberties, acquired, by means of his administration, learning, order, discipline, and renown. That confused and inaccurate genius of government, of which France partook in common with other European kingdoms, he changed into a simple monarchy; at the very time when the incapacity of Buckingham encouraged the free spirit of the commons to establish in England a regular system of liberty.

However unequal the comparison between these ministers, Buckingham had entertained a mighty jealousy against Richelieu; a jealousy not founded on rivalry of power and politics, but of love and gallantry; where the duke was as much superior to the cardinal, as he was inferior in every other particular.

At the time when Charles married by proxy the princess Henrietta, the duke of Buckingham had been sent to France, in order to grace the nuptials, and conduct the new queen into England. The eyes of the French court were directed by curiosity towards that man, who had enjoyed the unlimited favour of two successive monarchs, and who, from a private station, had mounted in the earliest youth to the absolute government of three kingdoms. The beauty of his person, the gracefulness of his air, the splendour of his equipage, his fine taste in dress, festivals, and carousals, corresponded to the prepossessions entertained in his favour: the affability of his behaviour, the gaiety of his manners, the magnificence of his expence, increased still farther the general admiration which was paid him. All business being already concerted, the time was entirely spent in mirth and entertainments; and, during those splendid scenes among that gay people, the duke found himself in a situation where he was perfectly qualified to excel.⁶⁵ But his great success at Paris proved as fatal as his former failure at Madrid. Encouraged by the smiles of the court, he dared to carry his ambitious addresses to the queen herself; and he failed not to make impression on a heart not undispensed to the tender passions. That attachment, at least of the mind, which appears so delicious, and is so dangerous, seems to have been encouraged by the princess; and the duke presumed so far on her good graces, that, after his departure, he secretly returned upon some pretence, and, paying a visit to the queen, was dismissed with a reproof which savoured more of kindness than of anger.⁶⁶

Information of this correspondence was soon carried to Richelieu. The vigilance of that minister was here farther roused by jealousy. He too, either from vanity or politics, had

ventured to pay his addresses to the queen. But a priest, past middle age, of a severe character, and occupied in the most extensive plans of ambition or vengeance, was but an unequal match in that contest, for a young courtier, entirely disposed to gaiety and gallantry. The cardinal's disappointment strongly inclined him to counterwork the amorous projects of his rival. When the duke was making preparations for a new embassy to Paris, a message was sent him from Lewis, that he must not think of such a journey. In a romantic passion he swore, *That he would see the queen, in spite of all the power of France*; and, from that moment, he determined to engage England in a war with that kingdom.⁶⁷

He first took advantage of some quarrels excited by the queen of England's attendants; and he persuaded Charles to dismiss at once all her French servants, contrary to the articles of the marriage treaty.⁶⁸ He encouraged the English ships of war and privateers to seize vessels belonging to French merchants; and these he forthwith condemned as prizes, by a sentence of the court of admiralty. But finding that all these injuries produced only remonstrances and embassies, or at most reprisals, on the part of France, he resolved to second the intrigues of the duke of Soubize, and to undertake at once a military expedition against that kingdom.

Soubize, who, with his brother the duke of Rohan, was the leader of the hugonot faction, was at that time in London, and strongly solicited Charles to embrace the protection of these distressed religionists. He represented, that after the inhabitants of Rochelle had been repressed by the combined squadrons of England and Holland, after peace was concluded with the French king under Charles's mediation, the ambitious cardinal was still meditating the destruction of the hugonots; that preparations were silently making in every province of France for the suppression of their religion; that forts were erected in order to bridle Rochelle, the most considerable bulwark of the protestants; that the reformed in France cast their eyes on Charles as the head of their faith, and considered him as a prince engaged by interest, as well as inclination, to support them; that, so long as their party subsisted, Charles might rely on their attachment as much as on that of his own subjects; but if their liberties were once ravished from them, the power of France, freed from this impediment, would soon become formidable to England, and to all the neighbouring nations.

EXPEDITION TO THE ISLE OF RHE.

July 9.

THOUGH Charles probably bore but small favour to the hugonots, who so much resembled

the puritans in discipline and worship, in religion and politics, he yet allowed himself to be gained by these arguments, enforced by the sollicitations of Buckingham. A fleet of a hundred sail, and an army of seven thousand men, were fitted out for the invasion of France, and both of them intrusted to the command of the duke, who was altogether unacquainted both with land and sea-service. The fleet appeared before Rochelle; but so ill-concerted were Buckingham's measures, that the inhabitants of that city shut their gates, and refused to admit allies, of whose coming they were not previously informed.⁶⁹ All his military operations showed equal incapacity and inexperience. Instead of attacking Oleron, a fertile island and defenceless, he bent his course to the isle of Rhé, which was well garrisoned and fortified: having landed his men, though with some loss, he followed not the blow, but allowed Tóiras, the French governor, five days respite; during which St. Martin was victualled and provided for a siege.⁷⁰ He left behind him the small fort of Prie, which could at first have made no manner of resistance: though resolved to starve St. Martin, he guarded the sea negli-

gently, and allowed provisions and ammunition to be thrown into it: despairing to reduce it by famine, he attacked it without having made any breach, and rashly threw away the lives of the soldiers: having found that a French army had stolen over in small divisions, and had landed at Prie, the fort which he had at first overlooked, he began to think of a retreat (28th Oct.); but made it so unskillfully, that it was equivalent to a total rout: he was the last of the army that embarked; and he returned to England, having lost two-thirds of his land-forces; totally discredited both as an admiral and a general; and bringing no praise with him, but the vulgar one of courage and personal bravery.

The duke of Rohan, who had taken arms as soon as Buckingham appeared upon the coast, discovered the dangerous spirit of the sect, without being able to do any mischief; the inhabitants of Rochelle, who had at last been induced to join the English, hastened the vengeance of their master, exhausted their provisions in supplying their allies, and were threatened with an immediate siege. Such were the fruits of Buckingham's expedition against France.

NOTES.

- 1 Rushworth, vol. i. p. 171. Parl. Hist. vol. vi. p. 346. Franklyn, p. 108.
- 2 A subsidy was now fallen to about 50,000 pounds. Caluola, p. 224, first ed.
- 3 Dagdale, p. 25, 26.
- 4 Parl. Hist. vol. vi. p. 306.
- 5 Rush. vol. i. p. 177, 178, &c. Parl. Hist. vol. vi. p. 309. Franklyn, p. 108, 109. Journ. 10th Aug. 1625.
- 6 Rush. vol. i. p. 180.
- 7 Parl. Hist. vol. vi. p. 309.
- 8 Franklyn, p. 109. Rush. vol. i. p. 177, 178, &c. 325, 326, &c.
- 9 Journ. 18th April, 1625.
- 10 Franklyn, p. 3, &c.
- 11 Parl. Hist. vol. vi. p. 374. Journals, 1st Aug. 1625.
- 12 Parl. Hist. vol. vi. p. 353. Journals, 7th July, 1625.
- 13 Rushworth, vol. i. p. 281.
- 14 1 Car. I. cap. i. Journ. 21st June, 1625.
- 15 Franklyn, p. 113. Rushworth, vol. i. p. 190.
- 16 The plague was really so violent, that it had been moved in the house of the beginning of the session, to petition the king to adjourn thence. Journ. 21st June, 1625. So it was impossible to enter upon grievances, even if there had been any. The only business of the parliament was to give supply, which was so much wanted by the king, in order to carry on the war in which they had engaged him.
- 17 Rush. vol. i. p. 192. Parl. Hist. vol. vi. p. 107.
- 18 Franklyn, p. 113. Rushworth, vol. i. p. 196.
- 19 It is always an express clause in the writ of summons, that no sheriff shall be chosen; but the contrary practice had

- often prevailed. D'Ewes, p. 38. Yet still great doubts were entertained on this head. See Journ. 26th April, 1614.
- 20 Journ. 27th March, 1625.
- 21 Parl. Hist. vol. vi. p. 445. Rushworth, vol. i. p. 224.
- 22 His credit with the king had given him such influence, that he had no less than twenty proxies granted him this parliament by so many peers, which occasioned a vote, that no peer should have above two proxies. The earl of Leicester in 1585 had over ten proxies. D'Ewes, p. 314.
- 23 Rushworth, vol. i. p. 236.
- 24 Rushworth, vol. i. p. 237. Franklyn, p. 120, &c.
- 25 Rushworth, vol. i. p. 236, 262, 263, &c. Franklyn, p. 123, &c.
- 26 Rushworth, vol. i. p. 217. Whitlocke, p. 5.
- 27 Rushworth, vol. i. p. 306, &c. 373, &c. Journ. 24th March, 1625.
- 28 Whitlocke, p. 7.
- 29 Rushworth, vol. i. p. 371.
- 30 Parl. Hist. vol. vi. p. 444.
- 31 Parl. Hist. vol. vi. p. 411. Rushworth, vol. i. p. 221. Franklyn, p. 118.
- 32 Rushworth, vol. i. p. 358. Whitlocke, p. 6.
- 33 Rushworth, vol. i. p. 356.
- 34 Rushworth, vol. i. p. 358, 361. Franklyn, p. 180.
- 35 Rushworth, vol. i. p. 363, 364, &c. Franklyn, p. 181.
- 36 Franklyn, p. 180. Rushworth.
- 37 See the list in Franklyn and Rushworth.
- 38 Rushworth, vol. i. p. 203.
- 39 Rushworth, vol. i. p. 400. Franklyn, p. 199.
- 40 Franklyn, p. 178.
- 41 Rushworth, vol. i. p. 398.

- 42 Sanderson's Life of Charles I. p. 59.
- 43 Franklyn, p. 204, &c. Parl. Hist. vol. vi. p. 300.
- 44 Rushworth, vol. i. p. 413. Whitlocke, p. 7.
- 45 Rushworth, vol. i. p. 415. Franklyn, p. 206.
- 46 Rushworth, vol. i. supra.
- 47 Rushworth, vol. i. p. 416.
- 48 Rushworth, vol. i. p. 418. Whitlocke, p. 8.
- 49 Rushworth, vol. i. p. 419. Franklyn, p. 207.
- 50 Rushworth, vol. i. p. 422. Franklyn, p. 208.
- 51 Rushworth, vol. i. p. 431.
- 52 Rushworth, vol. i. p. 423. Franklyn, p. 210.
- 53 Rushworth, vol. i. p. 458. Franklyn, p. 221. Whitlocke, p. 8.
- 54 23 Edw. III. cap. 4. 24 Edw. III. cap. 5.
- 55 27 Edw. III. cap. 18. 38 Edw. III. cap. 9. 42 Edw. III. cap. 3. 1 Richard II. cap. 12.
- 56 Chap. 29.
- 57 Rushworth, vol. i. p. 462.
- 58 State Trials, vol. vii. p. 147.
- 59 State Trials, vol. vii. p. 161.
- 60 Rushworth, vol. i. p. 419.
- 61 Rushworth, vol. i. p. 422.
- 62 Rushworth, vol. i. p. 431.
- 63 Parl. Hist. vol. vi. p. 310.
- 64 Rushworth, vol. i. p. 419. Whitlocke, p. 7.
- 65 Clarendon, vol. i. p. 88.
- 66 Mémoires de Mad. de Motteville.
- 67 Clarendon, vol. i. p. 38.
- 68 Rushworth, vol. i. p. 423, 424.
- 69 Rushworth, vol. i. p. 426.
- 70 Whitlocke, p. 8. Sir Philip Warwick, p. 25.

CHAPTER LI.

Third Parliament.—Petition of Right.—Prorogation.—Death of Buckingham.—New Session of Parliament.—Tonnage and Poundage.—Arminianism.—Dissolution of the Parliament.

THIRD PARLIAMENT. 1628.

THERE was reason to apprehend some disorder or insurrection from the discontents which prevailed among the people in England. Their liberties, they believed, were ravished from them; illegal taxes extorted; their commerce, which had met with a severe check from the Spanish, was totally annihilated by the French war; those military honours transmitted to them from their ancestors had received a grievous stain by two unsuccessful and ill conducted expeditions; scarce an illustrious family but mourned, from the last of them, the loss of a son or brother; greater calamities were dreaded from the war with these powerful monarchies, concurring with the internal disorders under which the nation laboured. And these ills were ascribed, not to the refractory disposition of the two former parliaments, to which they were partly owing; but solely to Charles's obstinacy, in adhering to the counsels of Buckingham, a man nowise intitled, by his birth, age, services, or merit, to that unlimited confidence reposed in him. To be sacrificed to the interest, policy, and ambition of the great, is so much the common lot of the people, that they may appear unreasonable who would pretend to complain of it: but to be the victim of the frivolous gallantry of a favourite, and of his boyish caprices, seemed the object of peculiar indignation.

In this situation, it may be imagined, the king and the duke dreaded above all things the assembling of a parliament: but so little foresight had they possessed in their enterprising schemes, that they found themselves under an absolute necessity of embracing that expedient. The money levied, or rather extorted, under colour of prerogative, had come in very slowly, and had left such ill-humour in the nation, that it appeared dangerous to renew the experiment. The absolute necessity of supply, it was hoped, would engage the commons to forget all past injuries; and, having experienced the ill effects of former obstinacy, they would probably assemble with a resolution of making some reasonable compliances. The more to soften them, it was concerted, by sir Robert Cotton's advice,¹ that Buckingham should be the first person that proposed in

council the calling of a new parliament. Having laid in this stock of merit, he expected that all his former misdemeanors would be overlooked and forgiven; and that, instead of a tyrant and oppressor, he should be regarded as the first patriot in the nation.

The views of the popular leaders were much more judicious and profound. When the commons assembled (17th March), they appeared to be men of the same independent their predecessors, and possessed of such riches, that their property was computed to surpass three times that of the house of peers;² they were deputed by boroughs and counties, inflamed all of them by the late violations of liberty; many of the members themselves had been cast into prison, and had suffered by the measures of the court; yet, notwithstanding these circumstances, which might prompt them to embrace violent resolutions, they entered upon business with perfect temper and decorum. They considered, that the king, disgusted at these popular assemblies, and little prepossessed in favour of their privileges, wanted but a fair pretence for breaking with them, and would seize the first opportunity offered by any incident, or any undutiful behaviour of the members. He fairly told them in his first speech, that, "if they should not do their duties, in contributing to the necessities of the state, he must, in discharge of his conscience, use those other means which God had put into his hands, in order to save that which the follies of some particular men may otherwise put in danger. Take not this for a threatening," added the king, "for I scorn to threaten any but my equals; but as an admonition from him who, by nature and duty, has most care of your preservation and prosperity."³ The lord keeper, by the king's direction, subjoined, "This way of parliamentary supplies, as his majesty told you, he hath chosen, not as the only way, but as the fittest; not because he is destitute of others, but because it is most agreeable to the goodness of his own most gracious disposition, and to the desire and weal of his people. If this be deferred, necessity and the sword of the enemy make way for the others. Remember his majesty's admonition; I say, remember it."⁴ From these avowed maxims, the commons

foresaw that, if the least handle were afforded, the king would immediately dissolve them, and would thenceforward deem himself justified for violating in a manner still more open, all the ancient forms of the constitution. No remedy could then be looked for, but from insurrections and civil war, of which the issue would be extremely uncertain, and which must, in all events, prove calamitous to the nation. To correct the late disorders in the administration required some new laws which would, no doubt, appear harsh to a prince so enamoured of his prerogative; and it was requisite to temper, by the decency and moderation of their debates, the rigour which must necessarily attend their determinations. Nothing can give us a higher idea of the capacity of those men who now guided the commons, and of the great authority which they had acquired, than the forming and executing of so judicious and so difficult a plan of operations.

The decency, however, which the popular leaders had prescribed to themselves, and recommended to others, hindered them not from making the loudest and most vigorous complaints against the grievances under which the nation had lately laboured. Sir Francis Seymour said, "This is the great council of the kingdom, and here with certainty, if not here only, his majesty may see as in a true glass, the state of the kingdom. We are called hither by his writs, in order to give him faithful counsel, such as may stand with his honour: and this we must do without flattery. We are also sent hither by the people, in order to deliver their just grievances: and this we must do without fear. Let us not act like Cambyse's judges, who, when their approbation was demanded by the prince to some illegal measure, said, that, *Though there was a written law, the Persian kings might follow their own will and pleasure.* This was base flattery, fitter for our reproof than our imitation; and as fear, so flattery, taketh away the judgment. For my part, I shall shun both; and speak my mind with as much duty as any man to his majesty, without neglecting the public.

"But how can we express our affections, while we retain our fears; or speak of giving, till we know whether we have any thing to give? For if his majesty may be persuaded to take what he will, what need we give?

"That this hath been done, appeareth by the billeting of soldiers, a thing nowise advantageous to the king's service, and a burden to the commonwealth: by the imprisonment of gentlemen for refusing the loan, who, if they had done the contrary for fear, had been as blameable as the projectors of that oppressive measure. To countenance these proceedings, hath it not been preached in the pulpit, or rather prated, that *All we have is the king's by divine right?* But when preachers forsake their

own calling, and turn ignorant statesmen; we see how willing they are to exchange a good conscience for a bishopric.

"He, I must confess, is no good subject, who would not, willingly and cheerfully, lay down his life, when that sacrifice may promote the interests of his sovereign, and the good of the commonwealth. But he is not a good subject, he is a slave, who will allow his goods to be taken from him against his will, and his liberty against the laws of the kingdom. By opposing these practices, we shall but tread in the steps of our forefathers, who still preferred the public before their private interest, nay, before their very lives. It will in us be a wrong done to ourselves, to our posterities, to our consciences, if we forego this claim and pretension."

"I read of a custom," said sir Robert Philips, "among the old Romans, that, once every year, they held a solemn festival in which their slaves had liberty, without exception, to speak what they pleased, in order to ease their afflicted minds, and, on the conclusion of the festival, the slaves severally returned to their former servitudes.

"This institution may, with some distinction, well set forth our present state and condition. After the revolution of some time, and the grievous sufferance of many violent oppressions, we have now, at last, as those slaves, obtained, for a day, some liberty of speech: but shall not, I trust, be hereafter slaves: for we are born free. Yet, what new illegal burdens our estates and persons have groaned under, my heart yearns to think of, my tongue falters to utter.—

"The grievances, by which we are oppressed, I draw under two heads; acts of power against law, and the judgments of lawyers against our liberty."

Having mentioned three illegal judgments passed within his memory; that by which the Scots, born after James's accession, were admitted to all the privileges of English subjects; that by which the new impositions had been warranted; and the late one, by which arbitrary imprisonments were authorised; he thus proceeded:

"I can live, though another, who has no right, be put to live along with me; nay, I can live, though burdened with impositions, beyond what at present I labour under: but to have my liberty, which is the soul of my life, ravished from me; to have my person pent up in a jail, without relief by law, and to be so adjudged,—O, improvident ancestors! O, unwise forefathers! to be so curious in providing for the quiet possession of our lands, and the liberties of parliament, and, at the same time, to neglect our personal liberty and let us lie in prison, and that during pleasure, without redress or remedy! If this be law, why do we

talk of liberties? Why trouble ourselves with disputes about a constitution, franchises, property of goods and the like? What may any man call his own, if not the liberty of his person?

"I am weary of treading these ways; and therefore conclude to have a select committee, in order to frame a petition to his majesty for redress of these grievances. And this petition being read, examined, and approved, may be delivered to the king; of whose gracious answer we have no cause to doubt, our desires being so reasonable, our intentions so loyal, and the manner so dutiful. Neither need we fear, that this is the critical parliament, as has been insinuated; or that this is the way to distraction: but assure ourselves of a happy issue. Then shall the king, as he calls us his great council, find us his true council, and own us his good council."⁶

The same topics were enforced by sir Thomas Wentworth. After mentioning projectors and ill ministers of state, "These," said he, "have introduced a privy-council, ravishing, at once, the spheres of all ancient government; destroying all liberty; imprisoning us without bail or bond. They have taken from us—What shall I say? Indeed, what have they left us? By tearing up the roots of all property, they have taken from us every means of supplying the king, and of ingratiating ourselves by voluntary proofs of our duty and attachment towards him.

"To the making whole all these breaches, I shall apply myself; and, to all these diseases, shall propound a remedy. By one and the same thing have the king and the people been hurt, and by the same must they be cured. We must vindicate: What? New things? No: our ancient, legal, and vital liberties: by reinforcing the laws enacted by our ancestors; by setting such a stamp upon them, that no licentious spirit shall dare henceforth to invade them. And shall we think this a way to break a parliament? No: our desires are modest and just. I speak both for the interest of king and people. If we enjoy not these rights, it will be impossible for us to relieve him. Let us never, therefore, doubt of a favourable reception from his goodness."⁷

These sentiments were unanimously embraced by the whole house. Even the court party pretended not to plead in defence of the late measures, any thing but the necessity to which the king had been reduced, by the obstinacy of the two former parliaments. A vote, therefore, was passed without opposition against arbitrary imprisonments and forced loans.⁸ And the spirit of liberty having obtained some contentment by this exertion, the reiterated messages of the king, who pressed for supply, were attended to with more temper. Five subsidies were voted him; with which,

though much inferior to his wants, he declared himself well satisfied; and even tears of affection started in his eye, when he was informed of this concession. The duke's approbation too was mentioned by secretary Coke; but the conjunction of a subject with the sovereign was ill received by the house.⁹ Though disgusted with the king, the jealousy which they felt for his honour was more sensible than that which his unbounded confidence in the duke would allow even himself to entertain.

The supply, though voted, was not, as yet, passed into a law; and the commons resolved to employ the interval, in providing some barriers to their rights and liberties so lately violated. They knew that their own vote, declaring the illegality of the former measures, had not, of itself, sufficient authority to secure the constitution against future invasion. Some act to that purpose must receive the sanction of the whole legislature; and they appointed a committee to prepare the model of so important a law. By collecting into one effort all the dangerous and oppressive claims of his prerogative, Charles had exposed them to the hazard of one assault; and had farther, by presenting a nearer view of the consequences attending them, roused the independent genius of the commons. Forced loans, benevolences, taxes without consent of parliament, arbitrary imprisonments, the billeting of soldiers, martial law; these were the grievances complained of, and against these an eternal remedy was to be provided. The commons pretended not, as they affirmed, to any unusual powers or privileges: they aimed only at securing those which had been transmitted them from their ancestors: and their law they resolved to call a PETITION OF RIGHT; as implying that it contained a corroboration or explanation of the ancient constitution, not any infringement of royal prerogative, or acquisition of new liberties.

While the committee was employed in framing the petition of right, the favourers of each party, both in parliament and throughout the nation, were engaged in disputes about this bill, which, in all likelihood, was to form a memorable era in the English government.

That the statutes, said the partisans of the commons, which secure English liberty, are not become obsolete, appears hence, that the English have ever been free, and have ever been governed by law and a limited constitution. Privileges in particular, which are founded on the GREAT CHARTER, must always remain in force, because derived from a source of never-failing authority; regarded in all ages, as the most sacred contract between king and people. Such attention was paid to this charter by our generous ancestors, that they got the confirmation of it reiterated

hirty several times; and even secured it by a
le, which, though vulgarly received, seems
n the execution impracticable. They have
established it as a maxim, *That even a statute,
which should be enacted in contradiction to any
article of that charter, cannot have force or
validity.* But with regard to that important
article which secures personal liberty; so far
from attempting, at any time, any legal in-
fringement of it, they have corroborated it, by
its statutes, and put it out of all doubt and
controversy. If in practice it has often been
violated, abuses can never come in the place
of rules; nor can any rights or legal powers
be derived from injury and injustice. But the
title of the subject to personal liberty not
only is founded on ancient, and therefore the
most sacred laws: it is confirmed by the whole
ANALOGY of the government and constitution.
A free monarchy in which every individual is
a slave, is a glaring contradiction; and it is
requisite, where the laws assign privileges to
be different orders of the state, that it like-
wise secure the independence of the members.
If any difference could be made in this parti-
cular, it were better to abandon even life or
property to the arbitrary will of the prince;
nor would such immediate danger ensue, from
that concession, to the laws and to the pri-
vileges of the people. To bereave of his life
a man not condemned by any legal trial, is so
gregious an exercise of tyranny, that it must
at once shock the natural humanity of princes,
and convey an alarm throughout the whole
commonwealth. To confiscate a man's for-
tune, besides its being a most atrocious act of
violence, exposes the monarch so much to the
imputation of avarice and rapacity, that it will
seldom be attempted in any civilized govern-
ment. But confinement, though a less striking,
is no less severe a punishment; nor is there
any spirit so erect and independent, as not to
be broken by the long continuance of the
silent and inglorious sufferings of a jail. The
power of imprisonment, therefore, being the
most natural and potent engine of arbitrary
government, it is absolutely necessary to re-
move it from a government which is free and
equal.

The partisans of the court reasoned after a
different manner. The true rule of govern-
ment, said they, during any period, is that to
which the people, from time immemorial, have
been accustomed, and to which they naturally
pay a prompt obedience. A practice which
has ever struck their senses, and of which
they have seen and heard innumerable prece-
dents, has an authority within them much su-
perior to that which attends maxims derived
from antiquated statutes and mouldy records.
In vain do the lawyers establish it as a principle,
that a statute can never be abrogated by
opposite custom; but requires to be expressly

repealed by a contrary statute: while they pre-
tend to inculcate an axiom peculiar to English
jurisprudence, they violate the most established
principles of human nature; and even, by
necessary consequence, reason in contradiction
to law itself, which they would represent as
so sacred and inviolable. A law, to have any
authority, must be derived from a legislature,
which has right. And whence do all legisla-
tures derive their right but from long custom
and established practice? If a statute contrary
to public good, has, at any time, been rashly
voted and assented to, either from the violence
of faction, or the inexperience of senates and
princes, it cannot be more effectually abro-
gated, than by a train of contrary precedents,
which prove, that, by common consent, it has
tacitly been set aside, as inconvenient and im-
practicable. Such has been the case with all
those statutes enacted during turbulent times
in order to limit royal prerogative, and cramp
the sovereign in his protection of the public,
and his execution of the laws. But above all
branches of prerogative, that which is most
necessary to be preserved, is the power of im-
prisonment. Faction and discontent, like
diseases, frequently arise in every political
body; and during these disorders, it is by the
salutary exercise alone of this discretionary
power, that rebellions and civil wars can be
prevented. To circumscribe this power is to
destroy its nature: entirely to abrogate it, is
impracticable; and the attempt itself must
prove dangerous if not pernicious to the public.
The supreme magistrate, in critical and tur-
bulent times, will never, agreeably either to
prudence or duty, allow the state to perish,
while there remains a remedy, which, how ir-
regular soever, it is still in his power to apply.
And if, moved by a regard to public good, he
employs any exercise of power condemned by
recent and express statute, how greedily, in
such dangerous times, will factious leaders
seize this pretence of throwing on his govern-
ment the imputation of tyranny and despotism?
Were the alternative quite necessary, it were
surely much better for human society to be
deprived of liberty than to be destitute of
government.

Impartial reasoners will confess, that this
subject is not, on both sides, without its diffi-
culties. Where a general and rigid law is en-
acted against arbitrary imprisonment, it would
appear, that government cannot, in times of
sedition and faction, be conducted but by tem-
porary suspensions of the law; and such an
expedient was never thought of during the age
of Charles. The meetings of parliament were
too precarious, and their determinations might
be too dilatory, to serve in cases of urgent
necessity. Nor was it then conceived, that
the king did not possess of himself sufficient
power for the security and protection of his

people, or that the authority of these popular assemblies was ever to become so absolute, that the prince must always conform himself to it, and could never have any occasion to guard against *their* practices, as well as against those of his other subjects.

Though the house of lords was not insensible to the reasons urged in favour of the pretensions of the commons, they deemed the arguments pleaded in favour of the crown still more cogent and convincing. That assembly seems, during this whole period, to have acted, in the main, a reasonable and a moderate part; and if their bias inclined a little too much, as is natural, to the side of monarchy, they were far from entertaining any design of sacrificing to arbitrary will the liberties and privileges of the nation. Ashley, the king's serjeant, having asserted, in a pleading before the peers, that the king must sometimes govern by acts of state as well as by law; this position gave such offence, that he was immediately committed to prison, and was not released but upon his recantation and submission.¹⁰ Being, however, afraid lest the commons should go too far in their projected petition, the peers proposed a plan of one more moderate, which they recommended to the consideration of the other house. It consisted merely in a general declaration, that the great charter, and the six statutes conceived to be explanations of it, stand still in force, to all intents and purposes; that, in consequence of the charter and the statutes, and by the tenor of the ancient customs and laws of the realm, every subject has a fundamental property in his goods, and a fundamental liberty of his person; that this property and liberty are as entire at present as during any former period of the English government: that in all common cases, the common law ought to be the standard of proceedings: "And in case, that, for the security of his majesty's person, the general safety of his people, or the peaceable government of the kingdom, the king shall find just cause, for reasons of state, to imprison or restrain any man's person; he was petitioned graciously to declare, that, within a *convenient* time, he shall and will express the cause of the commitment or restraint, either general or special, and upon a cause so expressed, will leave the prisoner immediately to be tried according to the common law of the land."¹¹

Archbishop Abbot was employed by the lords to recommend, in a conference, this plan of a petition to the house of commons. The prelate, as was, no doubt, foreseen from his known principles, was not extremely urgent in his applications; and the lower house was fully convinced that the general declarations signified nothing, and that the latter clause left their liberties rather in a worse condition than before. They proceeded, therefore, with great

zeal, in framing the model of a petition, which should contain expressions more precise, and more favourable to public freedom.

The king could easily see the consequence of these proceedings. Though he had offered, at the beginning of the session, to give his consent to any law for the security of the rights and liberties of the people; he had not expected that such inroads would be made on his prerogative. In order, therefore, to divert the commons from their intention, he sent a message, wherein he acknowledged past errors, and promised that, hereafter, there should be no just cause of complaint. And he added, "That the affairs of the kingdom press him so, that he could not continue the session above a week or two longer: and if the house be not ready, by that time, to do what is fit for themselves, it shall be their own fault."¹² On a subsequent occasion, he asked them, "Why demand explanations, if you doubt not the performance of the statutes, according to their true meaning? Explanations will hazard an encroachment upon the prerogative. And it may well be said, What need a new law to confirm an old, if you repose confidence in the declarations which his majesty made to both houses?"¹³ The truth is, the great charter and the old statutes were sufficiently clear in favour of personal liberty: but as all kings of England had ever, in cases of necessity or expediency, been accustomed, at intervals, to elude them; and as Charles, in a complication of instances, had lately violated them; the commons judged it requisite to enact a new law, which might not be eluded or violated, by any interpretation, construction, or contrary precedent. Nor was it sufficient, they thought, that the king promised to return into the way of his predecessors. His predecessors, in all times, had enjoyed too much discretionary power; and by his recent abuse of it, the whole world had reason to see the necessity of entirely retrenching it.

The king still persevered in his endeavours to elude the petition. He sent a letter to the house of lords, in which he went so far as to make a particular declaration, "That neither he nor his privy-council shall or will, at any time hereafter, commit or command to prison, or otherwise restrain, any man for not lending money, or for any other cause, which in his conscience he thought not to concern the public good, and the safety of king and people." And he farther declared, "That he never would be guilty of so base an action as to pretend any cause, of whose truth he was not fully satisfied."¹⁴ But this promise, though enforced to the commons by the commendation of the upper house, made no more impression than all the former messages.

Among the other evasions of the king, we may reckon the proposal of the house of peers,

to subjoin, to the intended petition of right, the following clause: "We humbly present this petition to your majesty, not only with a care of preserving our own liberties, but with due regard to leave entire that *sovereign power*, with which your majesty is intrusted for the protection, safety, and happiness of your people."¹⁵ Less penetration than was possessed by the leaders of the house of commons, could easily discover how captious this clause was, and how much it was calculated to elude the whole force of the petition.

These obstacles, therefore, being surmounted, the petition of right passed the commons and was sent to the upper house. [See note XX, at the end of this Vol.] The peers, who were probably well pleased in secret that all their solicitations had been eluded by the commons, quickly passed the petition without any material alteration; and nothing but the royal assent was wanting to give it the force of a law. The king accordingly came to the house of peers; sent for the commons; and, being seated in his chair of state, the petition was read to him. Great was now the astonishment of all men, when, instead of the usual concise and clear form, by which a bill is either confirmed or rejected, Charles said, in answer to the petition, "The king willeth, that right be done according to the laws and customs of the realm, and that the statutes be put into execution; that his subjects may have no cause to complain of any wrong or oppression, contrary to their just rights and liberties, to the preservation whereof he holds himself in conscience as much obliged as of his own prerogative."¹⁶

It is surprising that Charles, who had seen so many instances of the jealousy of the commons, who had himself so much roused that jealousy by his frequent evasive messages during this session, could imagine that they would rest satisfied with an answer so vague and undeterminate. It was evident, that the unusual form alone of the answer must excite their attention; that the disappointment must inflame their anger; and that therefore it was necessary, as the petition seemed to bear hard on royal prerogative, to come early to some fixed resolution, either gracefully to comply with it, or courageously to reject it.

It happened as might have been foreseen. The commons returned in very ill humour. Usually, when in that disposition, their zeal for religion, and their enmity against the unfortunate catholics, ran extremely high. But they had already, in the beginning of the session, presented their petition of religion, and had received a satisfactory answer; though they expected that the execution of the laws against papists would, for the future, be no more exact and rigid, than they had hitherto found it. To give vent to their present indig-

nation, they fell with their utmost force on Dr. Manwaring.

There is nothing which tends more to excuse, if not justify, the extreme rigour of the commons, towards Charles, than his open encouragement and avowal of such general principles as were altogether incompatible with a limited government. Manwaring had preached a sermon, which the commons found, upon inquiry, to be printed by special command of the king;¹⁷ and, when this sermon was looked into, it contained doctrines subversive of all civil liberty. It taught, that though property was commonly lodged in the subject, yet, whenever any exigency required supply, all property was transferred to the sovereign; that the consent of parliament was not necessary for the imposition of taxes; and that the divine laws required compliance with every demand, how irregular soever, which the prince should make upon his subjects.¹⁸ For these doctrines the commons impeached Manwaring. The sentence, pronounced upon him by the peers, was, that he should be imprisoned during the pleasure of the house, be fined a thousand pounds to the king, make submission and acknowledgment of his offence, be suspended during three years, be incapable of holding any ecclesiastical dignity or secular office, and that his book be called in and burnt.¹⁹

It may be worthy of notice, that no sooner was the session ended, than this man so justly obnoxious to both houses, received a pardon, and was promoted to a living of considerable value.²⁰ Some years after, he was raised to the see of St. Asaph. If the republican spirit of the commons increased, beyond all reasonable bounds, the monarchical spirit of the court; this latter, carried to so high a pitch, tended still farther to augment the former. And thus extremes were every where affected, and the just medium was gradually deserted by all men.

From Manwaring, the house of commons proceeded to censure the conduct of Buckingham, whose name hitherto they had cautiously forbore to mention.²¹ In vain did the king send them a message, in which he told them, that the session was drawing near to a conclusion; and desired, that they would not enter upon new business, nor cast any aspersions on his government and ministry.²² Though the court endeavoured to explain and soften this message by a subsequent message;²³ as Charles was apt hastily to correct any hasty step which he had taken; it served rather to inflame than appease the commons: as if the method of their proceedings had here been prescribed to them. It was foreseen, that a great tempest was ready to burst on the duke; and in order to divert it, the king thought proper, upon a joint application of the lords and commons,²⁴ to endeavour giving them satisfaction with regard to the petition of right. He came

therefore to the house of peers, and pronouncing the usual form of words, *Let it be law as is desired*, gave full sanction and authority to the petition. The acclamations with which the house resounded, and the universal joy diffused over the nation, showed how much this petition had been the object of all men's vows and expectations.²⁵

It may be affirmed, without any exaggeration, that the king's assent to the petition of right produced such a change in the government, as was almost equivalent to a revolution; and by circumscribing, in so many articles, the royal prerogative, gave additional security to the liberties of the subject. Yet were the commons far from being satisfied with this important concession. Their ill humour had been so much irritated by the king's frequent evasions and delays, that it could not be presently appeased by an assent, which he allowed to be so reluctantly extorted from him. Perhaps too, the popular leaders, implacable and artful, saw the opportunity favourable; and, turning against the king those very weapons with which he had furnished them, resolved to pursue the victory. The bill, however, for five subsidies, which had been formerly voted, immediately passed the house because the granting of that supply was, in a manner, tacitly contracted for, upon the royal assent to the petition; and had faith been here violated, no farther confidence could have subsisted between king and parliament. Having made this concession, the commons continued to carry their scrutiny into every part of government. In some particulars their industry was laudable; in some it may be liable to censure.

A little after writs were issued for summoning this parliament, a commission had been granted to sir Thomas Coventry, lord keeper, the earl of Marlborough, treasurer, the earl of Manchester, president of the council, the earl of Worcester, privy-seal, the duke of Buckingham, high admiral, and all the considerable officers of the crown; in the whole, thirty-three. By this commission, which, from the number of persons named in it, could be no secret, the commissioners were empowered to meet and to concert among themselves the methods of levying money by impositions, or otherwise; *Where form and circumstance, as expressed in the commission, must be dispensed with, rather than the substance be lost or hazarded*.²⁶ In other words, this was a scheme for finding expedients, which might raise the prerogative to the greatest height, and render parliaments entirely useless. The commons applied for cancelling the commission;²⁷ and were, no doubt, desirous that all the world should conclude the king's principles to be extremely arbitrary, and should observe what little regard he was disposed to pay to the liberties and privileges of his people.

A commission had likewise been granted and some money remitted, in order to raise a thousand German horse, and transport them into England. These were supposed to be levied, in order to support the projected impositions or excises: though the number seems insufficient for such a purpose.²⁸ The house took notice of this design in severe terms and no measure, surely, could be projected more generally odious to the whole nation. It must, however, be confessed that the king was so far right, that he had now at last fallen on the only effectual method for supporting his prerogative. But at the same time he should have been sensible that, till provided with a sufficient military force, all his attempts, in opposition to the rising spirit of the nation, must, in the end, prove wholly fruitless; and that the higher he screwed up the springs of government, while he had so little real power to retain them in that forced situation, with more fatal violence must they fly out, when any accident occurred to restore them to their natural action.

The commons next resumed their censure of Buckingham's conduct and behaviour, against whom they were implacable. They agreed to present a remonstrance to the king, in which they recapitulated all national grievances and misfortunes, and omitted no circumstance which could render the whole administration despicable and odious. The compositions with catholics, they said, amounted to no less than a toleration, hateful to God, full of dishonour and disprofit to his majesty, and of extreme scandal and grief to his good people: they took notice of the violations of liberty above mentioned, against which the petition of right seems to have provided a sufficient remedy: they mentioned the decay of trade, the unsuccessful expeditions to Cadiz and the isle of Rhé, the encouragement given to Armenians, the commission for transporting German horse, that for levying illegal impositions; and all these grievances they ascribed solely to the ill-conduct of the duke of Buckingham.²⁹ This remonstrance was, perhaps, not the less provoking to Charles, because, joined to the extreme acrimony of the subject, there were preserved in it, as in most of the remonstrances of that age, an affected civility and submission in the language. And as it was the first return which he met with for his late beneficial concessions, and for his sacrifices of prerogative, the greatest by far ever made by an English sovereign, nothing could be more the object of just and natural indignation.

It was not without good grounds that the commons were so fierce and assuming. Though they had already granted the king the supply of five subsidies, they still retained a pledge in their hands, which they thought ensured them success in all their applications. Tonnage and

poundage had not yet been granted by parliament; and the commons had artfully, this session, concealed their intention of invading that branch of revenue, till the royal assent had been obtained to the petition of right, which they justly deemed of such importance. They then openly asserted, that the levying of tonnage and poundage without consent of parliament, was a palpable violation of the ancient liberties of the people, and an open infringement of the petition of right, so lately granted.³⁰ The king, in order to prevent the finishing and presenting of this remonstrance, came suddenly to the parliament (26th June), and ended this session by a prorogation.³¹

Being freed for some time from the embarrassment of this assembly, Charles began to look towards foreign wars, where all his efforts were equally unsuccessful, as in his domestic government. The earl of Denbigh, brother-in-law to Buckingham, was dispatched to the relief of Rochelle, now closely besieged by land, and threatened with a blockade by sea: but he returned without effecting any thing; and having declined to attack the enemy's fleet, he brought on the English arms the imputation either of cowardice or ill-conduct. In order to repair this dishonour, the duke went to Portsmouth, where he had prepared a considerable fleet and army, on which all the subsidies given by parliament had been expended. This supply had very much disappointed the king's expectations. The same mutinous spirit which prevailed in the house of commons, had diffused itself over the nation; and the commissioners appointed for making the assessments, had connived at all frauds which might diminish the supply, and reduce the crown to still greater necessities. This national discontent, communicated to a desperate enthusiast, soon broke out in an event, which may be considered as remarkable.

There was one Felton, of a good family, but of an ardent, melancholic temper, who had served under the duke in the station of lieutenant. His captain being killed in the retreat at the isle of Rhé, Felton had applied for the company; and when disappointed, he threw up his commission, and retired in discontent from the army. While private resentment was boiling in his sullen, unsociable mind, he heard the nation resound with complaints against the duke; and he met with the remonstrance of the commons, in which his enemy was represented as the cause of every national grievance, and as the great enemy of the public. Religious fanaticism farther inflamed these vindictive reflections; and he fancied that he should do heaven acceptable service, if, at one blow, he dispatched this dangerous foe to religion and to his country.³² Full of these dark views he secretly arrived at Portsmouth, at the same time with the duke,

and watched for an opportunity of effecting his bloody purpose.

DEATH OF BUCKINGHAM. Aug. 23.

BUCKINGHAM had been engaged in conversation with Soubize and other French gentlemen; and a difference of sentiment having arisen, the dispute, though conducted with temper and decency, had produced some of those vehement gesticulations and lively exertions of voice, in which that nation, more than the English, are apt to indulge themselves. The conversation being finished, the duke drew towards the door; and in that passage, turning himself to speak to sir Thomas Fryar, a colonel in the army, he was, on the sudden, over sir Thomas's shoulder, struck upon the breast with a knife. Without uttering other words than *The villain has killed me*; in the same moment pulling out the knife, he breathed his last.

No man had seen the blow, nor the person who gave it; but in the confusion, every one made his own conjecture; and all agreed that the murder had been committed by the French gentlemen, whose angry tone of voice had been heard, while their words had not been understood by the bystanders. In the hurry of revenge, they had instantly been put to death, had they not been saved by some of more temper and judgment, who, though they had the same opinion of their guilt, thought proper to reserve them for a judicial trial and examination.

Near the door there was found a hat, in the inside of which was sewed a paper, containing four or five lines of that remonstrance of the commons, which declared Buckingham an enemy to the kingdom; and under these lines was a short ejaculation, or attempt towards a prayer. It was easily concluded that this hat belonged to the assassin: but the difficulty still remained, *Who that person should be?* For the writing discovered not the name; and whoever he was, it was natural to believe that he had already fled far enough not to be found without a hat.

In this hurry, a man without a hat was seen walking very composedly before the door. One crying out, *Here is the fellow who killed the duke*; every body ran to ask, *Which is he?* The man very sedately answered, *I am he*. The more furious immediately rushed upon him with drawn swords: others, more deliberate, defended and protected him: he himself, with open arms, calmly and cheerfully exposed his breast to the swords of the most enraged; being willing to fall a sudden sacrifice to their anger, rather than be reserved for that public justice which, he knew, must be executed upon him.

He was now known to be that Felton who

had served in the army. Being carried into a private room, it was thought proper so far to dissemble as to tell him, that Buckingham was only grievously wounded, but not without hopes of recovery. Felton smiled, and told them, that the duke, he knew, full well, had received a blow which had terminated all their hopes. When asked, at whose instigation he had performed that horrid deed? he replied, that they needed not to trouble themselves in that inquiry; that no man living had credit enough with him to have disposed him to such an action; that he had not even intrusted his purpose to any one; that the resolution proceeded only from himself, and the impulse of his own conscience; and that his motives would appear, if his hat were found: for that believing he should perish in the attempt, he had there taken care to explain them.³³

When the king was informed of this assassination, he received the news in public with an unmoved and undisturbed countenance; and the courtiers, who studied his looks, concluded, that secretly he was not displeased to be rid of a minister so generally odious to the nation.³⁴ But Charles's command of himself proceeded entirely from the gravity and composure of his temper. He was still, as much as ever, attached to his favourite; and, during his whole life, he retained an affection for Buckingham's friends, and a prejudice against his enemies. He urged too, that Felton should be put to the question, in order to extort from him a discovery of his accomplices: but the judges declared, that though that practice had formerly been very usual, it was altogether illegal. So much more exact reasoners, with regard to law, had they become, from the jealous scruples of the house of commons.

Meanwhile the distress of Rochelle had risen to the utmost extremity. That vast genius of Richelieu, which made him form the greatest enterprises, led him to attempt their execution by means equally great and extraordinary. In order to deprive Rochelle of all succour, he had dared to project the throwing across the harbour a mole of a mile's extent in that boisterous ocean; and having executed his project, he now held the town closely blockaded on all sides. The inhabitants, though pressed with the greatest rigours of famine, still refused to submit; being supported, partly by the lectures of their zealous preachers, partly by the daily hopes of relief from England. After Buckingham's death, the command of the fleet and army was conferred on the earl of Lindsey; who, arriving before Rochelle, made some attempts to break through the mole, and force his way into the harbour: but by the delays of the English, that work was now fully finished and fortified; and the Rochellers,

finding their last hopes to fail them, were reduced to surrender at discretion (18th Oct.), even in sight of the English admiral. Of fifteen thousand persons shut up in the city, four thousand alone survived the fatigues and famine which they had undergone.³⁵

This was the first necessary step towards the prosperity of France. Foreign enemies, as well as domestic factions, being deprived of this resource, that kingdom began now to shine forth in its full splendour. By a steady prosecution of wise plans both of war and policy, it gradually gained an ascendancy over the rival power of Spain; and every order of the state, and every sect, were reduced to pay submission to the lawful authority of the sovereign. The victory, however, over the hugonots, was at first pushed by the French king with great moderation. A toleration was still continued to them; the only avowed and open toleration which, at that time, was granted in any European kingdom.

NEW SESSION OF PARLIAMENT.

Jan. 20, 1629.

THE failure of an enterprise, in which the English nation, from religious sympathy, so much interested themselves, could not but diminish the king's authority in the parliament during the approaching session: but the commons, when assembled, found many other causes of complaint. Buckingham's conduct and character, with some had afforded a reason, with others a pretence, for discontent against public measures: but after his death, there wanted not new reasons and new pretences for general dissatisfaction. Manwaring's pardon and promotion were taken notice of: Silthorp and Cosins, two clergymen, who, for like reasons, were no less obnoxious to the commons, had met with like favour from the king; Montague, who had been censured for moderation towards the catholics, the greatest of crimes, had been created bishop of Chichester. They found, likewise, upon enquiry, that all the copies of the petition of right, which were dispersed, had, by the king's orders, annexed to them the first answer, which had given so little satisfaction to the commons.³⁶ An expedient by which Charles endeavoured to persuade the people that he had not receded from his former claims and pretensions, particularly with regard to the levying of tonnage and poundage. Selden also complained in the house, that one Savage, contrary to the petition of right, had been punished with the loss of his ears, by a discretionary or arbitrary sentence of the star-chamber.³⁷ So apt were they, on their part, to stretch the petition into such consequences as might deprive the crown of powers, which, from immemorial custom, were supposed inherent in it.

TONNAGE AND POUNDAGE.

BUT the great article on which the house of commons broke with the king, and which finally created in Charles a disgust to all parliaments, was their claim with regard to tonnage and poundage. On this occasion, therefore, it is necessary to give an account of the controversy.

The duty of tonnage and poundage, in more ancient times, had been commonly a temporary grant of parliament; but it had been conferred on Henry V. and all the succeeding princes, during life, in order to enable them to maintain a naval force for the defence of the kingdom. The necessity of levying this duty had been so apparent, that each king had ever claimed it from the moment of his accession; and the first parliament of each reign had usually, by vote, conferred on the prince what they found him already in possession of. Agreeably to the inaccurate genius of the old constitution, this abuse, however considerable, had never been perceived nor remedied; though nothing could have been easier than for the parliament to have prevented it.³⁸ By granting this duty to each prince, during his own life, and, for a year after his demise, to the successor, all inconveniencies had been obviated; and yet the duty had never for a moment been levied without proper authority. But contrivances of that nature were not thought of during those rude ages: and as so complicated and jealous a government as the English cannot subsist without many such refinements; it is easy to see how favourable every inaccuracy must formerly have proved to royal authority, which on all emergencies was obliged to supply, by discretionary power, the great deficiency of the laws.

The parliament did not grant the duty of tonnage and poundage to Henry VIII. till the sixth of his reign: yet this prince, who had not then raised his power to its greatest height, continued, during that whole time, to levy the imposition: the parliament, in their very grant, blame the merchants who had neglected to make payment to the crown; and though one expression of that bill may seem ambiguous, they employ the plainest terms in calling tonnage and poundage the king's due, even before that duty was conferred on him by parliamentary authority.³⁹ Four reigns, and above a whole century, had since elapsed; and this revenue had still been levied before it was voted by parliament. So long had the inaccuracy continued, without being remarked or corrected.

During that short interval which passed between Charles's accession and his first parliament, he had followed the example of his predecessors; and no fault was found with his conduct in this particular. But what was most

remarkable in the proceedings of that house of commons, and what proved beyond controversy that they had seriously formed a plan for reducing their prince to subjection, was, that instead of granting this supply during the king's lifetime, as it had been enjoyed by all his immediate predecessors, they voted it only for a year; and, after that should be elapsed, reserved to themselves the power of renewing or refusing the same concession.⁴⁰ But the house of peers, who saw that this duty was now become more necessary than ever to supply the growing necessities of the crown, and who did not approve of this encroaching spirit in the commons, rejected the bill; and the dissolution of that parliament followed so soon after, that no attempt seems to have been made for obtaining tonnage and poundage in any other form. [*See note YY, at the end of this Vol.*]

Charles, meanwhile, continued still to levy this duty by his own authority; and the nation was so accustomed to that exertion of royal power, that no scruple was at first entertained of submitting to it. But the succeeding parliament excited doubts in every one. The commons took there some steps towards declaring it illegal to levy tonnage and poundage without consent of parliament; and they openly showed their intention of employing this engine, in order to extort from the crown concessions of the most important nature. But Charles was not yet sufficiently tamed to compliance; and the abrupt dissolution of that parliament, as above related, put an end, for the time, to their farther pretensions.

The following interval between the second and third parliament was distinguished by so many exertions of prerogative, that men had little leisure to attend to the affair of tonnage and poundage, where the abuse of power in the crown might seem to be of a more disputable nature. But after the commons, during the precedent session, had remedied all these grievances by means of their petition of right, which they deemed so necessary; they afterwards proceeded to take the matter into consideration, and they showed the same intention as formerly, of exacting, in return for the grant of this revenue, very large compliances on the part of the crown. Their sudden prorogation prevented them from bringing their pretensions to a full conclusion.

When Charles opened this session, he had foreseen that the same controversy would arise; and he therefore took care, very early, among many mild and reconciling expressions, to inform the commons, "That he had not taken these duties as appertaining to his hereditary prerogative; but that it ever was, and still is, his meaning to enjoy them as a gift of his people: and that, if he had hitherto levied tonnage and poundage, he pretended to justify

himself only by the necessity of so doing, not by any right which he assumed."⁴¹ This concession, which probably arose from the king's moderate temper, now freed from the impulse of Buckingham's violent counsels, might have satisfied the commons, had they entertained no other view than that of ascertaining their own powers and privileges. But they carried their pretensions much higher. They insisted, as a necessary preliminary, that the king should once entirely desist from levying these duties; after which, they were to take it into consideration, how far they would restore him to the possession of a revenue, of which he had clearly divested himself. But, besides that this extreme rigour had never been exercised towards any of his predecessors, and many obvious inconveniencies must follow from the intermission of the customs; there were other reasons, which deterred Charles from complying with so hard a condition. It was probable that the commons might renew their former project of making this revenue only temporary, and thereby reducing their prince to perpetual dependence; they certainly would cut off the new impositions which Mary and Elizabeth, but especially James, had levied, and which formed no despicable part of the public revenue; and they openly declared, that they had at present many important pretensions, chiefly with regard to religion; and if compliance were refused, no supply must be expected from the commons.

It is easy to see in what an inextricable labyrinth Charles was now involved. By his own concessions, by the general principles of the English government, and by the form of every bill which had granted this duty, tonnage and poundage was derived entirely from the free gift of the people; and, consequently, might be withdrawn at their pleasure. If unreasonable in their refusal, they still refused nothing but what was their own. If public necessity required this supply, it might be thought also to require the king's compliance with those conditions which were the price of obtaining it. Though the motive for granting it had been the enabling of the king to guard the seas, it did not follow, that because he guarded the seas, he was therefore entitled to this revenue, without farther formality; since the people had still reserved to themselves the right of judging how far that service merited such a supply. But Charles, notwithstanding his public declaration, was far from assenting to this conclusion in its full extent. The plain consequence, he saw, of all these rigours, and refinements, and inferences, was, that he, without any public necessity, and without any fault of his own, must, of a sudden, even from his accession, become a magistrate of a very different nature from any of his predecessors. and must fall into a total dependence on subjects

over whom former kings, especially those immediately preceding, had exercised an authority almost unlimited. Entangled in a chain of consequences which he could not easily break, he was inclined to go higher, and rather deny the first principle, than admit of conclusions which to him appeared so absurd and unreasonable. Agreeably to the ideas hitherto entertained both by natives and foreigners, the monarch he esteemed the essence and soul of the English government; and whatever other power pretended to annihilate, or even abridge, the royal authority, must necessarily, he thought either in its nature or exercise, be deemed no better than an usurpation. Willing to preserve the ancient harmony of the constitution, he had ever intended to comply, as far as he *easily* could, with the ancient forms of administration: but when these forms appeared to him, by the inveterate obstinacy of the commons, to have no other tendency than to disturb that harmony, and to introduce a new constitution; he concluded, that, in this violent situation, what was subordinate must necessarily yield to what was principal, and the privileges of the people, for a time, give place to royal prerogative. From the rank of a monarch, to be degraded into a slave of his insolent, ungrateful subjects, seemed, of all indignities, the greatest; and nothing, in his judgment, could exceed the humiliation attending such a state, but the meanness of tamely submitting to it, without making some efforts to preserve the authority transmitted to him by his predecessors.

Though these were the king's reflections and resolutions before the parliament assembled, he did not immediately break with them, upon their delay in voting him this supply. He thought that he could better justify any strong measure which he might afterwards be obliged to take, if he allowed them to carry to the utmost extremities their attacks upon his government and prerogative.⁴² He contented himself, for the present, with soliciting the house by messages and speeches. But the commons, instead of hearkening to his solicitations, proceeded to carry their scrutiny into his management of religion,⁴³ which was the only grievance to which, in their opinion, they had not as yet, by their petition of right, applied a sufficient remedy.

ARMINIANISM.

It was not possible that this century, so fertile in religious sects and disputes, could escape the controversy concerning fatalism and free-will, which, being strongly interwoven both with philosophy and theology, had, in all ages, thrown every school and every church into such inextricable doubt and perplexity. The first reformers in England, as in other

European countries, had embraced the most rigid tenets of predestination and absolute decrees, and had composed, upon that system, all the articles of their religious creed. But these principles having met with opposition from Arminius and his sectaries, the controversy was soon brought into this island, and began here to diffuse itself. The Arminians, finding more encouragement from the superstitious spirit of the church than from the fanaticism of the puritans, gradually incorporated themselves with the former; and some of that sect, by the indulgence of James and Charles, had attained the highest preferments in the hierarchy. But their success with the public had not been altogether answerable to that which they met with in the church and the court. Throughout the nation, they still lay under the reproach of innovation and heresy. The commons now levelled against them their formidable censures, and made them the objects of daily invective and declamation. Their protectors were stigmatized; their tenets canvassed; their views represented as dangerous and pernicious. To impartial spectators surely, if any such had been at that time in England, it must have given great entertainment, to see a popular assembly, inflamed with faction and enthusiasm, pretend to discuss questions to which the greatest philosophers, in the tranquillity of retreat, had never hitherto been able to find any satisfactory solution.

Amidst that complication of disputes in which men were then involved, we may observe, that the appellation *puritan* stood for three parties, which, though commonly united, were yet actuated by very different views and motives. There were the political puritans, who maintained the highest principles of civil liberty; the puritans in discipline, who were averse to the ceremonies and episcopal government of the church; and the doctrinal puritans, who rigidly defended the speculative system of the first reformers. In opposition to all these, stood the court party, the hierarchy, and the Arminians; only with this distinction, that the latter sect, being introduced a few years before, did not, as yet comprehend all those who were favourable to the church and to monarchy. But, as the controversies on every subject grew daily warmer, men united themselves more intimately with their friends, and separated themselves wider from their antagonists; and the distinction gradually became quite uniform and regular.

This house of commons, which, like all the preceding during the reigns of James and Charles, and even of Elizabeth, was much governed by the puritanical party, thought that they could not better serve their cause than by branding and punishing the Arminian sect, which, introducing an innovation in the church, were the least favoured and least

powerful of all their antagonists. From this measure it was easily foreseen, that, besides gratifying the animosity of the doctrinal puritans, both the puritans in discipline, and those in politics, would reap considerable advantages. Laud, Neile, Montague, and other bishops, who were the chief supporters of episcopal government, and the most zealous partisans of the discipline and ceremonies of the church, were all supposed to be tainted with Arminianism. The same men and their disciples were the strenuous preachers of passive obedience, and of entire submission to princes; and if these could once be censured, and be expelled the church and court, it was concluded, that the hierarchy would receive a mortal blow, the ceremonies be less rigidly insisted on, and the king, deprived of his most faithful friends, be obliged to abate those high claims of prerogative, on which at present he insisted.

But Charles, besides a view of the political consequences which must result from a compliance with such pretensions, was strongly determined, from principles of piety and conscience, to oppose them. Neither the dissipation incident to youth, nor the pleasures attending a high fortune, had been able to prevent this virtuous prince from embracing the most sincere sentiments of religion; and that character which, in that religious age, should have been of infinite advantage to him, proved in the end the chief cause of his ruin: merely because the religion adopted by him was not of that precise mode and sect which *began* to prevail among his subjects. His piety, though remote from popery, had a tincture of superstition in it; and, being averse to the gloomy spirit of the puritans, was represented by them as tending towards the abominations of antichrist. Laud also had unfortunately acquired a great ascendant over him: and as all those prelates, obnoxious to the commons, were regarded as his chief friends and most favourite courtiers, he was resolved not to disarm and dishonour himself, by abandoning them to the resentment of his enemies. Being totally unprovided with military force, and finding a refractory independent spirit to prevail among the people; the most solid basis of his authority, he thought, consisted in the support which he received from the hierarchy.

In the debates of the commons, which are transmitted to us, it is easy to discern so early some sparks of that enthusiastic fire, which afterwards set the whole nation in combustion. One Rouse made use of an allusion, which, though familiar, seems to have been borrowed from the writings of lord Bacon.⁴⁴ "If a man meet a dog alone," said he, "the dog is fearful, though ever so fierce by nature: but if the dog have his master with him, he will set upon that man from whom he fled before. This shows, that lower natures, being backed by higher, increase in courage and strength;

and certainly man, being backed with Omnipotency, is a kind of omnipotent creature. All things are possible to him that believes; and where all things are possible, there is a kind of omnipotency. Wherefore, let it be the unanimous consent and resolution of us all to make a vow and covenant henceforth to hold fast our God and our religion; and then shall we henceforth expect, with certainty, happiness in this world."⁴⁵

Oliver Cromwell, at that time a young man of no account in the nation, is mentioned in these debates as complaining of one who, he was told, preached flat popery.⁴⁶ It is amusing to observe the first words of this fanatical hypocrite correspond so exactly to his character.

The inquiries and debates concerning tonnage and poundage went hand in hand with these theological or metaphysical controversies. The officers of the custom-house were summoned before the commons, to give an account by what authority they had seized the goods of merchants who had refused to pay these duties: the barons of the exchequer were questioned concerning their decrees on that head.⁴⁷ One of the sheriffs of London was committed to the Tower for his activity in supporting the officers of the custom-house: the goods of Rolles, a merchant, and member of the house, being seized for his refusal to pay the duties, complaints were made of this violence, as if it were a breach of privilege:⁴⁸ Charles supported his officers in all these measures; and the quarrel grew every day higher between him and the commons.⁴⁹ Mention was made in the house of impeaching sir Richard Weston, the treasurer;⁵⁰ and the king began to entertain thoughts of finishing the session by a dissolution.

Sir John Elliot framed a remonstrance against levying tonnage and poundage without consent of parliament, and offered it to the clerk to read. It was refused. He read it himself. The question being then called for, the speaker, sir John Finch, said, *That he had a command from the king to adjourn, and to put no question.*⁵¹ Upon which he rose and left the chair. The whole house was in an uproar. The speaker was pushed back into the chair, and forcibly held in it by Hollis and Valentine; till a short remonstrance was framed, and was passed by acclamation rather than by vote. Papists and Arminians were there declared capital enemies to the commonwealth. Those who levied tonnage and poundage were branded with the same epithet. And even the merchants who should voluntarily pay these duties, were denominated betrayers of English liberty, and public enemies. The doors being locked, the gentleman usher of the house of lords, who was sent by the king, could not get admittance till this remonstrance was finished. By the king's order, he took

the mace from the table, which ended their proceedings.⁵² And a few days after (10th March) the parliament was dissolved.

The discontents of the nation ran high, on account of this violent rupture between the king and parliament. These discontents Charles inflamed by his affectation of a severity which he had not power, nor probably inclination, to carry to extremities. Sir Miles Hobart, sir Peter Heyman, Selden, Coriton, Long, Strode, were committed to prison, on account of the last tumult in the house, which was called sedition.⁵³ With great difficulty, and after several delays, they were released; and the law was generally supposed to be wrested, in order to prolong their imprisonment. Sir John Elliot, Hollis, and Valentine, were summoned to their trial in the king's bench, for seditious speeches and behaviour in parliament; but refusing to answer before an inferior court for their conduct as members of a superior, they were condemned to be imprisoned during the king's pleasure, to find sureties for their good behaviour, and to be fined, the two former a thousand pounds a-piece, the latter five hundred.⁵⁴ This sentence, procured by the influence of the crown, served only to show the king's disregard to the privileges of parliament, and to acquire an immense stock of popularity to the sufferers, who had so bravely, in opposition to arbitrary power, defended the liberties of their native country. The commons of England, though an immense body, and possessed of the greater part of national property, were naturally somewhat defenceless; because of their personal equality, and their want of leaders: but the king's severity, if these prosecutions deserve the name, here pointed out leaders to them whose resentment was inflamed, and whose courage was nowise daunted by the hardships which they had undergone in so honourable a cause.

So much did these prisoners glory in their sufferings, that though they were promised liberty on that condition, they would not condescend even to present a petition to the king, expressing their sorrow for having offended him.⁵⁵ They unanimously refused to find sureties for their good behaviour; and declined to accept of deliverance on such easy terms. Nay, Hollis was so industrious to continue his meritorious distress, that, when one offered to bail him, he would not yield to the rule of court, and be himself bound with his friend. Even Long, who had actually found sureties in the chief justice's chamber, declared in court, that his sureties should no longer continue.⁵⁶ Yet because sir John Elliot happened to die while in custody, a great clamour was raised against the administration; and he was universally regarded as a martyr to the liberties of England.⁵⁷

NOTES.

- 1 Franklyn, p. 230.
- 2 Sanderson, p. 106. Walker, p. 339.
- 3 Rushworth, vol. i. p. 477. Franklyn, p. 233.
- 4 Rushworth, vol. i. p. 479. Franklyn, p. 234.
- 5 Franklyn, p. 243. Rushworth, vol. i. p. 199.
- 6 Franklyn, p. 245. Parl. Hist. vol. vii. p. 363. Rushworth, vol. i. p. 502.
- 7 Franklyn, p. 343. Rushworth, vol. i. p. 500.
- 8 Franklyn, p. 251. Rushworth, vol. i. p. 513. Whitlocke, p. 9.
- 9 Rushworth, vol. i. p. 526. Whitlocke, p. 9.
- 10 Whitlocke, p. 10.
- 11 State Trials, vol. vii. p. 167. Rushworth, vol. i. p. 546.
- 12 State Trials, vol. vii. p. 193.
- 13 State Trials, vol. vii. p. 196. Rushworth, vol. i.
- 14 State Trials, vol. vii. p. 199. Rushworth, vol. i. p. 561. Parliamentary Hist. vol. viii. p. 116. Whitlocke, p. 10.
- 15 State Trials, vol. vii. p. 212. Rushworth, vol. i. p. 590.
- 16 Parl. Hist. vol. viii. p. 206.
- 17 Rushworth, vol. i. p. 585. 594. Parl. Hist. vol. viii. p. 168, 169, 170, &c. Welwood, p. 44.
- 18 Rushworth, vol. i. p. 65. Parl. Hist. vol. viii. p. 212.
- 19 Rushw. vol. i. p. 635. Whitlocke, p. 11.
- 20 Rushworth, vol. i. p. 607.
- 21 Rushworth, vol. i. p. 605.
- 22 Rushworth, vol. i. p. 610. Parl. Hist. vol. viii. p. 197.
- 23 Rushworth, vol. i. p. 613. Journ. 7th June, 1628. Parl. Hist. vol. viii. p. 201.
- 24 Rushworth, vol. i. p. 613.
- 25 Rushworth, vol. i. p. 614. Parl. Hist. vol. viii. p. 214.
- 26 Journ. 13 June, 1628.
- 27 Rushworth, vol. i. p. 612.
- 28 Rushworth, vol. i. p. 619. Parl. Hist. vol. viii. p. 219, 220, &c.
- 29 Rushworth, vol. i. p. 628. Journ. 18, 20 June, 1628.
- 30 Journ. 26 June, 1628.
- 31 May's Hist. of the Parliament, p. 10.
- 32 Clarendon, vol. i. p. 27, 28.
- 33 Warwick, p. 34.
- 34 Rushworth, vol. i. p. 636.
- 35 State Trials, vol. vii. p. 216. Rushworth, vol. i. p. 643.
- 36 State Trials, vol. vii. p. 216. Parl. Hist. vol. viii. p. 216.
- 37 Parl. Hist. vol. viii. p. 339, 340.
- 38 6 Henry VIII. cap. 14.
- 39 Journ. 5 July, 1625.
- 40 Rushworth, vol. i. p. 644. Parl. Hist. vol. viii. p. 256. 346.
- 41 Rushworth, vol. i. p. 642.
- 42 Rushworth, vol. i. p. 651. Whitlocke, p. 12.
- 43 Essay of Atheism.
- 44 Rushworth, vol. i. p. 646. Parl. Hist. vol. viii. p. 260.
- 45 Rushworth, vol. i. p. 655. Parl. Hist. vol. viii. p. 249.
- 46 Rushworth, vol. i. p. 654. Parl. Hist. vol. viii. p. 301.
- 47 Rushworth, vol. i. p. 653.
- 48 Rushworth, vol. i. p. 658.
- 49 Parl. Hist. vol. viii. p. 326.
- 50 The king's power of adjourning, as well as proroguing the parliament, was and is never questioned. In the 19th of the late king, the judges determined that the adjournment by the king kept the parliament in statu quo until the next sitting; but that then no committees were to meet: but if the adjournment be by the house, then the committees and other matters do continue. Parl. Hist. vol. v. p. 466.
- 51 Rushw. vol. i. p. 660. Whitlocke, p. 12.
- 52 Rushworth, vol. i. p. 661. Parl. Hist. vol. viii. p. 354. May, p. 13.
- 53 Rushworth, vol. i. p. 684. 691.
- 54 Whitlocke, p. 13.
- 55 Kennet, vol. iii. p. 49.
- 56 Rushworth, vol. v. p. 440.

CHAPTER LII.

Peace with France.—Peace with Spain.—State of the Court and Ministry.—Character of the Queen.—Strafford.—Laud.—Innovations in the Church.—Irregular Levies of Money.—Severities in the Star-Chamber and High Commission.—Ship Money.—Trial of Hamden.

THERE now opens to us a new scene.

Charles, naturally disgusted with parliaments, who, he found, were determined to proceed against him with unmitigated rigour, both in invading his prerogative, and refusing him all supply, resolved not to call any more, till he should see greater indications of a compliant disposition in the nation. Having lost his great favourite, Buckingham, he became his own minister; and never afterwards reposed in any one such unlimited confidence. As he chiefly follows his own genius and disposition, his measures are henceforth less rash and hasty; though the general tenor of his administration still wants somewhat of being entirely legal, and perhaps more of being entirely prudent.

We shall endeavour to exhibit a just idea of the events which followed for some years; so far as they regard foreign affairs, the state of the court, and the government of the nation. The incidents are neither numerous nor illustrious; but the knowledge of them is necessary for understanding the subsequent transactions, which are so memorable.

PEACE WITH FRANCE AND SPAIN.

CHARLES, destitute of all supply, was necessarily reduced to embrace a measure, which ought to have been the result of reason and sound policy: he made peace with the two crowns against which he had hitherto waged a war, entered into without necessity, and conducted without glory. Notwithstanding the distracted and helpless condition of England, no attempt was made either by France or Spain, to invade their enemy; nor did they entertain any farther project, than to defend themselves against the feeble and ill-concerted expeditions of that kingdom. Pleased that the jealousies and quarrels between king and parliament had disarmed so formidable a power, they carefully avoided any enterprise which might rouse either the terror or anger of the English, and dispose them to domestic union and submission. The endeavours to regain the good-will of the nation were carried so far by the king of Spain, that he generously released and sent home all the English prisoners taken

in the expedition against Cadiz. The example was imitated by France, after the retreat of the English from the isle of Rhé. When princes were in such dispositions, and had so few pretensions on each other, it could not be difficult to conclude a peace. The treaty was first signed with France (14th April).¹ The situation of the king's affairs did not entitle him to demand any conditions for the hugenots, and they were abandoned to the will of their sovereign. Peace was afterwards concluded with Spain (5th Nov. 1630); where no conditions were made in favour of the Palatine, except that Spain promised in general to use their good offices for his restoration.² The influence of these two wars on domestic affairs, and on the dispositions of king and people, was of the utmost consequence: but no alteration was made by them on the foreign interests of the kingdom.

Nothing more happy can be imagined than the situation in which England then stood with regard to foreign affairs. Europe was divided between the rival families of Bourbon and Austria, whose opposite interests, and still more their mutual jealousies, secured the tranquillity of this island. Their forces were so nearly counterpoised, that no apprehensions were entertained of any event which could suddenly disturb the balance of power between them. The Spanish monarch, deemed the most powerful, lay at greatest distance: and the English, by that means, possessed the advantage of being engaged by political motives into a more intimate union and confederacy with the neighbouring potentate. The dispersed situation of the Spanish dominions rendered the naval power of England formidable to them, and kept that empire in continual dependence. France, more vigorous and more compact, was every day rising in policy and discipline; and reached, at last, an equality of power with the house of Austria: but her progress, slow and gradual, left it still in the power of England, by a timely interposition, to check her superiority. And thus Charles, could he have avoided all dissensions with his own subjects, was in a situation to make himself be courted and respected by every power in Europe; and, what has scarcely ever since been attained

by the princes of this island, he could either be active with dignity, or neutral with security.

A neutrality was embraced by the king; and during the rest of his reign, he seems to have little regarded foreign affairs, except so far as he was engaged by honour and by friendship for his sister and the palatine, to endeavour the procuring of some relief for that unhappy family. He joined his good offices to those of France, and mediated a peace between the kings of Sweden and Poland, in hopes of engaging the former to embrace the protection of the oppressed protestants in the empire. This was the famed Gustavus, whose heroic genius, seconded by the wisest policy, made him in a little time the most distinguished monarch of the age, and rendered his country, formerly unknown and neglected, of great weight in the balance of Europe. To encourage and assist him in his projected invasion of Germany, Charles agreed to furnish him with six thousand men; but, that he might preserve the appearance of neutrality, he made use of the marquis of Hamilton's name.³ That nobleman entered into an engagement with Gustavus; and instilling these troops in England and Scotland at Charles's expense, he landed them in the Elbe. The decisive battle of Lipsic was fought soon after; where the conduct of Tilly and the valour of the Imperialists were overcome by the superior conduct of Gustavus and the superior valour of the Swedes. What remained of this hero's life was one continued series of victory, for which he was less beholden to fortune, than to those personal endowments which he derived from nature and from industry. That rapid progress of conquest, which we so much admire in ancient history, was here renewed in modern annals; and without that cause to which in former ages it had ever been owing. Military nations were not now engaged against an undisciplined and unwarlike people; nor heroes set in opposition to cowards. The veteran troops of Ferdinand, conducted by the most celebrated generals of the age, were foiled in every encounter, and all Germany was overrun in an instant by the victorious Swede. But by this extraordinary and unexpected success of his ally, Charles failed of the purpose for which he framed the alliance. Gustavus, elated by prosperity, began to form more extensive plans of ambition; and in freeing Germany from the yoke of Ferdinand, he intended to reduce it to subjection under his own. He refused to restore the palatine to his principality, except on conditions which would have kept him in total dependence.⁴ And thus the negotiation was protracted, till the battle of Lutzen, where the Swedish monarch perished in the midst of a complete victory, which he obtained over his enemies.

We have carried on these transactions a few years beyond the present period, that we might

not be obliged to return to them; nor be henceforth interrupted in our account of Charles's court and kingdoms.

STATE OF THE COURT AND MINISTRY.

WHEN we consider Charles as presiding in his court, as associating with his family, it is difficult to imagine a character at once more respectable and more amiable. A kind husband, an indulgent father, a gentle master, a steadfast friend; to all these eulogies his conduct in private life fully entitled him. As a monarch too, in the exterior qualities, he excelled; in the essential, he was not defective. His address and manner, though perhaps inclining a little towards stateliness and formality, in the main corresponded to his high rank, and gave grace to that reserve and gravity which were natural to him. The moderation and equity which shone forth in his temper, seemed to secure him against rash and dangerous enterprises: the good sense which he displayed in his discourse and conversation, seemed to warrant his success in every reasonable undertaking. Other endowments likewise he had attained, which in a private gentleman would have been highly ornamental, and which in a great monarch might have proved extremely useful to his people. He was possessed of an excellent taste in all the fine arts, and the love of painting was in some degree his favourite passion. Learned beyond what is common in princes, he was a good judge of writing in others, and enjoyed, himself, no mean talent in composition. In any other age or nation, this monarch had been secure of a prosperous and a happy reign. But the high idea of his own authority which he had imbibed, made him incapable of giving way to the spirit of liberty, which began to prevail among his subjects. His politics were not supported by such vigour and foresight as might enable him to subdue their pretensions, and maintain his prerogative at the high pitch to which it had been raised by his predecessors. And above all, the spirit of enthusiasm being universally diffused, disappointed all the views of human prudence, and disturbed the operation of every motive which usually influences society.

But the misfortunes arising from these causes were yet remote. Charles now enjoyed himself in the full exercise of his authority, in a social intercourse with his friends and courtiers, and in a moderate use of those pleasures which he most affected.

CHARACTER OF THE QUEEN.

AFTER the death of Buckingham, who had somewhat alienated Charles from the queen, she is to be considered as his chief friend and favourite. That rustic contempt of the fair

sex, which James affected, and which, banishing them from his court, made it resemble more a fair or an exchange, than the seat of a great prince, was very wide of the disposition of this monarch. But though full of complaisance to the whole sex, Charles reserved all his passion for his consort, to whom he attached himself with unshaken fidelity and confidence. By her sense and spirit, as well as by her beauty, she justified the fondness of her husband; though it is allowed, that, being somewhat of a passionate temper, she precipitated him into hasty and imprudent measures. Her religion, likewise, to which she was much addicted, must be regarded as a great misfortune, since it augmented the jealousy which prevailed against the court, and engaged her to procure for the catholics some indulgences which were generally distasteful to the nation.⁵

In the former situation of the English government, when the sovereign was in a great measure independent of his subjects, the king chose his ministers either from personal favour, or from an opinion of their abilities, without any regard to their parliamentary interest or talents. It has since been the maxim of princes, wherever popular leaders encroach too much on royal authority, to confer offices on them; in expectation that they will afterwards become more careful not to diminish that power which has become their own. These politics were now embraced by Charles; a sure proof that a secret revolution had happened in the constitution, and had necessitated the prince to adopt new maxims of government.⁶ But the views of the king were at this time so repugnant to those of the puritans, that the leaders, whom he gained, lost from that moment all interest with their party, and were even pursued as traitors with implacable hatred and resentment. This was the case with sir Thomas Wehtworth, whom the king created first a baron, then a viscount, and afterwards earl of Strafford; made him president of the council of York, and deputy of Ireland; and regarded him as his chief minister and counsellor. By his eminent talents and abilities, Strafford merited all the confidence which his master reposed in him: his character was stately and austere; more fitted to procure esteem than love: his fidelity to the king was unshaken; but as he now employed all his counsels to support the prerogative, which he had formerly bent all his endeavours to diminish, his virtue seems not to have been entirely pure, but to have been susceptible of strong impressions from private interest and ambition. Sir Dudley Digges was about the same time created master of the rolls: Noy, attorney-general: Littleton, solicitor-general. All these had likewise been parliamentary leaders; and were men eminent in their profession.⁷

In all ecclesiastical affairs, and even in many

civil, Laud, bishop of London, had great influence over the king. This man was virtuous, if severity of manners alone, and abstinence from pleasure, could deserve that name. He was learned, if polemical knowledge could entitle him to that praise. He was disinterested, but with unceasing industry he studied to exalt the priestly and prelatical character, which was his own. His zeal was unrelenting in the cause of religion; that is, in imposing, by rigorous measures, his own tenets and pious ceremonies on the obstinate puritans, who had profanely dared to oppose him. In prosecution of his holy purposes, he overlooked every human consideration; or, in other words, the heat and indiscretion of his temper made him neglect the views of prudence and rules of good manners. He was in this respect happy, that all his enemies were also imagined by him the declared enemies to loyalty and true piety, and that every exercise of his anger, by that means, became in his eyes a merit and a virtue. This was the man who acquired so great an ascendancy over Charles, and who led him, by the facility of his temper, into a conduct which proved so fatal to himself and to his kingdoms.

INNOVATIONS IN THE CHURCH.

THE humour of the nation ran at that time into the extreme opposite to superstition; and it was with difficulty that the ancient ceremonies to which men had been accustomed, and which had been sanctified by the practice of the first reformers, could be retained in divine service: yet was this the time which Laud chose for the introduction of new ceremonies and observances. Besides that these were sure to displease as innovations, there lay, in the opinion of the public, another very forcible objection against them. Laud, and the other prelates who embraced his measures, were generally well instructed in sacred antiquity, and had adopted many of those religious sentiments which prevailed during the fourth and fifth centuries; when the Christian church, as is well known, was already sunk into those superstitions which were afterwards continued and augmented by the policy of Rome. The revival, therefore, of the ideas and practices of that age, could not fail of giving the English faith and liturgy some resemblance to the catholic superstition, which the kingdom in general, and the puritans in particular, held in the greatest horror and detestation. Men also were apt to think, that, without some secret purpose, such insignificant observances would not be imposed with such unrelenting zeal on the refractory nation; and that Laud's scheme was to lead back the English by gradual steps to the religion of their ancestors. They considered not, that

the very insignificance of these ceremonies recommended them to the superstitious prelate, and made them appear the more peculiarly sacred and religious, as they could serve to no other purpose. Nor was the resemblance to the Romish ritual any objection, but rather a merit, with Laud and his brethren; who bore a much greater kindness to the mother-church, as they called her, than to the sectaries and presbyterians, and frequently recommended her as a true christian church; an appellation which they refused, or at least scrupled to give to the others.⁸ So openly were these tenets espoused, that not only the discontented puritans believed the church of England to be relapsing fast into Romish superstition. the court of Rome itself entertained hopes of regaining its authority in this island; and, in order to forward Laud's supposed good intentions, an offer was twice made him, in private, of a cardinal's hat, which he declined accepting.⁹ His answer was, as he says himself, *That something dwelt within him, which would not suffer his compliance, till Rome were other than it is.*¹⁰

A count lady, daughter of the earl of Devonshire, having turned catholic, was asked by Laud the reason of her conversion. *'Tis chiefly,* said she, *because I hate to travel in a crowd.* The meaning of this expression being demanded, she replied, *I perceive your grace and many others are making haste to Rome; and therefore, in order to prevent my being crowded, I have gone before you.* It must be confessed, that though Laud deserved not the appellation of papist, the genius of his religion was, though in a less degree, the same with that of the Romish: the same profound respect was exacted to the sacerdotal character, the same submission required to the creeds and decrees of synods and councils, the same pomp and ceremony was affected in worship, and the same superstitious regard to days, postures, meats, and vestments. No wonder, therefore, that this prelate was, every where, among the puritans, regarded with horror, as the forerunner of antichrist.

As a specimen of the new ceremonies to which Laud sacrificed his own quiet and that of the nation, it may not be amiss to relate those which he was accused of employing in the consecration of St. Catherine's church, and which were the object of such general scandal and offence.

On the bishop's approach to the west door of the church, a loud voice cried, *Open, open, ye everlasting doors, that the king of glory may enter in!* Immediately the doors of the church flew open, and the bishop entered. Falling upon his knees, with eyes elevated and arms expanded, he uttered these words: *This place is holy, the ground is holy: in the name of the Father, Son, and Holy Ghost, I pronounce it holy.*

Going towards the chancel, he several times took up from the floor some of the dust, and threw it in the air. When he approached, with his attendants, near to the communion-table, he bowed frequently towards it: and on their return, they went round the church, repeating as they marched along, some of the psalms: and then said a form of prayer, which concluded with these words: *We consecrate this church, and separate it unto thee as holy ground, not to be profaned any more to common uses.*

After this, the bishop, standing near the communion-table, solemnly pronounced many imprecations upon such as should afterwards pollute that holy place by musters of soldiers, or keeping in it profane law-courts, or carrying burdens through it. On the conclusion of every curse, he bowed towards the east, and cried, *Let all the people say, Amen.*

The imprecations being all so piously finished, there were poured out a number of blessings upon such as had any hand in framing and building that sacred and beautiful edifice, and on such as had given, or should hereafter give to it, any chalices, plate, ornaments, or utensils. At every benediction, he in like manner bowed towards the east, and cried, *Let all the people say, Amen.*

The sermon followed; after which, the bishop consecrated and administered the sacrament in the following manner:

As he approached the communion-table, he made many lowly reverences: and coming up to that part of the table where the bread and wine lay, he bowed seven times. After the reading of many prayers, he approached the sacramental elements, and gently lifted up the corner of the napkin in which the bread was placed. When he beheld the bread, he suddenly let fall the napkin, flew back a step or two, bowed three several times towards the bread; then he drew nigh again, opened the napkin, and bowed as before.

Next, he laid his hand on the cup, which had a cover upon it, and was filled with wine.* He let go the cup, fell back, and bowed thrice towards it. He approached again; and lifting up the cover, peeped into the cup. Seeing the wine, he let fall the cover, started back, and bowed as before. Then he received the sacrament, and gave it to others. And many prayers being said, the solemnity of the consecration ended. The walls and floor and roof of the fabric were then supposed to be sufficiently holy.¹¹

Orders were given and rigorously insisted on, that the communion-table should be removed from the middle of the area, where it hitherto stood in all churches, except in cathedrals.¹² It was placed at the east end, railed in, and denominated an ALTAR; as the clergyman who officiated received commonly the appellation of PRIEST. It is not easy to imagine

the discontents excited by this innovation, and the suspicions which it gave rise to.

The kneeling at the altar, and the using of copes, a species of embroidered vestment, in administering the sacrament, were also known to be great objects of scandal, as being popish practices: but the opposition rather increased than abated the zeal of the prelate for the introduction of these habits and ceremonies.

All kinds of ornament, especially pictures, were necessary for supporting that mechanical devotion, which was purposed to be raised in this model of religion: but as these had been so much employed by the church of Rome, and had given rise to so much superstition, or what the puritans called idolatry; it was impossible to introduce them into English churches, without exciting general murmurs and complaints. But Laud, possessed of pre-
 ent authority, persisted in his purpose, and made several attempts towards acquiring these ornaments. Some of the pictures introduced by him were also found, upon inquiry, to be the very same that might be met with in the mass-book. The crucifix too, that eternal consolation of all pious catholics, and terror to all sound protestants, was not forgotten on this occasion.¹³

It was much remarked, that Sherfield, the recorder of Salisbury, was tried in the star-chamber, for having broken, contrary to the bishop of Salisbury's express injunctions, a painted window of St. Edmund's church in that city. He boasted, that he had destroyed these monuments of idolatry: but for this effort of his zeal, he was fined five hundred pounds, removed from his office, condemned to make a public acknowledgment, and be bound to his good behaviour.¹⁴

Not only such of the clergy as neglected to observe every ceremony were suspended and deprived by the high-commission court: oaths were, by many of the bishops, imposed on the church-wardens; and they were sworn to inform against any one who acted contrary to the ecclesiastical canons.¹⁵ Such a measure, though practised during the reign of Elizabeth, gave much offence; as resembling too nearly the practice of the Romish inquisition.

To show the great alienation from the churches reformed after the presbyterian model, Laud advised, that the discipline and worship of the church should be imposed on the English regiments and trading companies abroad.¹⁶ All foreigners of the Dutch and Walloon congregations were commanded to attend the established church; and indulgence was granted to none after the children of the first denizens.¹⁷ Scudmore too, the king's ambassador at Paris, had orders to withdraw himself from the communion of the hugonots. Even men of sense were apt to blame this conduct, not only because it gave offence in

England, but because in foreign countries it lost the crown the advantage of being considered as the head and support of the reformation.¹⁸

On pretence of pacifying disputes, orders were issued from the council, forbidding, on both sides, all preaching and printing with regard to the controverted points of predestination and free-will. But it was complained of, and probably with reason, that the impartiality was altogether confined to the orders, and that the execution of them was only meant against the Calvinists.

In return for Charles's indulgence towards the church, Laud and his followers took care to magnify, on every occasion, the regal authority, and to treat with the utmost disdain or detestation, all puritanical pretensions to a free and independent constitution. But while these prelates were so liberal in raising the crown at the expence of public liberty, they made no scruple of encroaching themselves on the royal rights the most incontestible; in order to exalt the hierarchy, and procure to their own order dominion and independence. All the doctrines which the Romish church had borrowed from some of the fathers, and which freed the spiritual from subordination to the civil power, were now adopted by the church of England, and interwoven with her political and religious tenets. A divine and apostolical charter was insisted on, preferably to a legal and parliamentary one.¹⁹ The sacerdotal character was magnified as sacred and indefeasible: all right to spiritual authority, or even to private judgment in spiritual subjects, was refused to profane laymen: ecclesiastical courts were held by the bishops in their own name, without any notice taken of the king's authority: and Charles, though extremely jealous of every claim in popular assemblies, seemed rather to encourage than repress those encroachments of his clergy. Having felt many sensible inconveniences from the independent spirit of parliaments, he attached himself entirely to those who professed a devoted obedience to his crown and person; nor did he foresee that, the ecclesiastical power which he exalted, not admitting of any precise boundary, might in time become more dangerous to public peace, and no less fatal to royal prerogative, than the other.

So early as the coronation, Laud was the person, according to general opinion, that introduced a novelty, which, though overlooked by Charles, made a deep impression on many of the bystanders. After the usual ceremonies these words were recited to the king: "Stand and hold fast, from henceforth, the place to which you have been heir by the succession of your forefathers, being now delivered to you by the authority of Almighty God,

and by the hands of us and all the bishops and servants of God. And, as you see the clergy to come nearer the altar than others, so remember that, in all places convenient, you give them greater honour; that the Mediator of God and man may establish you on the kingly throne, to be a mediator betwixt the clergy and the laity; and that you may reign for ever with Jesus Christ, the King of kings, and Lord of lords." ²⁰

The principles which exalted prerogative, were not entertained by the king merely as soft and agreeable to his royal ears: they were also put in practice during the time that he ruled without parliaments. Though frugal and regular in his expence, he wanted money for the support of government; and he levied it either by the revival of obsolete laws, or by violations, some more open, some more disguised, of the privileges of the nation. Though humane and gentle in his temper, he gave way to a few severities in the star-chamber and high-commission, which seemed necessary, in order to support the present mode of administration, and repress the rising spirit of liberty throughout the kingdom. Under these two heads may be reduced all the remarkable transactions of this reign, during some years: for, in peaceable and prosperous times, where a neutrality in foreign affairs is observed, scarcely any thing is remarkable, but what is, in some degree, blamed or blameable. And, lest the hope of relief or protection from parliament might encourage opposition, Charles issued a proclamation, in which he declared, "That whereas, for several ill ends, the calling again of a parliament is disvoiced; though his majesty has shown, by frequent meetings with his people, his love to the use of parliaments: yet the late abuse having, for the present, driven him unwillingly out of that course; he will account it presumption for any one to prescribe to him any time for the calling of that assembly." ²¹ This was generally construed as a declaration, that, during this reign, no more parliaments were intended to be summoned. ²² And every measure of the king's confirmed a suspicion, so disagreeable to the generality of the people.

IRREGULAR LEVIES OF MONEY.

TONNAGE and poundage continued to be levied by the royal authority alone. The former additional impositions were still exacted. Even new impositions were laid on several kinds of merchandise. ²³

The custom-house officers received orders from the council to enter into any house, warehouse, or cellar; to search any trunk or chest; and to break any bulk whatever; in default of the payment of customs. ²⁴

In order to exercise the militia, and to keep

them in good order, each county, by an edict of the council, was assessed in a certain sum, for maintaining a muster-master, appointed for that service. ²⁵

Compositions were openly made with recusants, and the popish religion became a regular part of the revenue. This was all the persecution which it underwent during the reign of Charles. ²⁶

A commission was granted for compounding with such as were possessed of crown-land upon defective titles; and on this pretence some money was exacted from the people. ²⁷

There was a law of Edward II., ²⁸ That whoever was possessed of twenty pounds a-year in land, should be obliged, when summoned to appear and to receive the order of knighthood. Twenty pounds, at that time, partly by the change of denomination, partly by that in the value of money, were equivalent to two hundred in the seventeenth century; and it seemed just, that the king should not strictly insist on the letter of the law, and oblige people of so small revenue to accept of that expensive honour. Edward VI., ²⁹ and queen Elizabeth, ³⁰ who had both of them made use of this expedient for raising money, had summoned only those who were possessed of forty pounds a-year and upwards to receive knighthood, or compound for their neglect; and Charles imitated their example, in granting the same indulgence. Commissioners were appointed for fixing the rates of composition; and instructions were given to these commissioners, not to accept of a less sum than would have been due by the party, upon a tax of three subsidies and a half. ³¹ Nothing proves more plainly, how ill-disposed the people were to the measures of the crown, than to observe, that they loudly complained of an expedient, founded on positive statute, and warranted by such recent precedents. The law was pretended to be obsolete; though only one reign had intervened since the last execution of it.

SEVERITIES OF THE STAR-CHAMBER AND HIGH COMMISSION.

BARNARD, lecturer of St. Sepulchre's, London, used this expression in his prayer before sermon; *Lord, open the eyes of the queen's majesty, that she may see Jesus Christ, whom she has pierced with her infidelity, superstition, and idolatry.* He was questioned in the high-commission court, for this insult on the queen; but, upon his submission, dismissed. ³² Leighton, who had written libels against the king, the queen, the bishops, and the whole administration, was condemned by a very severe, if not a cruel, sentence; but the execution of it was suspended for some time, in expectation of his submission. ³³ All the severities, indeed, of this reign were exercised against those who

triumphed in their sufferings, who courted persecution, and braved authority: and, on that account, their punishment may be deemed the more just, but the less prudent. To have neglected them entirely, had it been consistent with order and public safety, had been the wisest measure that could have been embraced; as perhaps it had been the most severe punishment that could have been inflicted on these zealots.

1631. In order to gratify the clergy with a magnificent fabric, subscriptions were set on foot, for repairing and rebuilding St. Paul's; and the king, by his countenance and example, encouraged this laudable undertaking.³⁴ By order of the privy-council, St. Gregory's church was removed, as an impediment to the project of extending and beautifying the cathedral. Some houses and shops likewise were pulled down; and compensation was made to the owners.³⁵ As there was no immediate prospect of assembling a parliament, such acts of power in the king became necessary; and in no former age would the people have entertained any scruple with regard to them. It must be remarked, that the puritans were extremely averse to the raising of this ornament to the capital. It savoured, as they pretended, of popish superstition.

A stamp duty was imposed on cards: a new tax, which, of itself, was liable to no objection; but appeared of dangerous consequence, when considered as arbitrary and illegal.³⁶

Monopolies were revived; an oppressive method of levying money, being unlimited, as well as destructive of industry. The last parliament of James, which abolished monopolies, had left an equitable exception in favour of new inventions; and on pretence of these, and of erecting new companies and corporations, was this grievance now renewed. The manufacture of soap was given to a company who paid a sum for their patent.³⁷ Leather, salt, and many other commodities, even down to linen rags, were put under restrictions.

It is affirmed by Clarendon, that so little benefit was reaped from these projects, that of two hundred thousand pounds thereby levied on the people, scarcely fifteen hundred came into the king's coffers. Though we ought not to suspect the noble historian of exaggerations to the disadvantage of Charles's measures; this fact, it must be owned, appears somewhat incredible. The same author adds, that the king's intention was to teach his subjects how unthrifty a thing it was to refuse reasonable supplies to the crown. An imprudent project! to offend a whole nation, under the view of punishment; and to hope, by acts of violence, to break their refractory spirits, without being possessed of any force to prevent resistance.

1632. The council of York had been first erected, after a rebellion, by a patent from

Henry VIII. without any authority of parliament; and this exercise of power, like many others, was indulged to that arbitrary monarch. This council had long acted chiefly as a criminal court; but, besides some innovations introduced by James, Charles thought proper, some time after Wentworth was made president, to extend its powers, and to give it a large civil jurisdiction, and that in some respects discretionary.³⁸ It is not improbable that the king's intention was only to prevent inconveniences, which arose from the bringing of every cause, from the most distant parts of the kingdom, into Westminster-hall: but the consequence, in the meantime, of this measure, was the putting of all the northern counties out of the protection of ordinary law, and subjecting them to an authority somewhat arbitrary. Some irregular acts of that council were, this year, complained of.³⁹

1633. The court of star-chamber extended its authority; and it was matter of complaint, that it encroached upon the jurisdiction of the other courts; imposing heavy fines and inflicting severe punishment, beyond the usual course of justice. Sir David Foulis was fined five thousand pounds, chiefly because he had dissuaded a friend from compounding with the commissioners of knighthood.⁴⁰

Prymme, a barrister of Lincoln's-Inn, had written an enormous quarto of a thousand pages, which he called *Hystrio-Mastix*. Its professed purpose was to decri stage-plays, comedies, interludes, music, dancing; but the author likewise took occasion to declaim against hunting, public festivals, Christmas-keeping, bonfires, and May-poles. His zeal against all these levities, he says, was first moved by observing, that plays sold better than the choicest sermons, and that they were frequently printed on finer paper than the Bible itself. Besides, that the players were often papists, and desperately wicked; the play-houses, he affirms, are Satan's chapels, the play-haunters little better than incarnate devils; and so many steps in a dance, so many paces to hell. The chief crime of Nero he represents to have been, his frequenting and acting of plays; and those, who nobly conspired his death, were principally moved to it, as he affirms, by their indignation at that enormity. The rest of his thousand pages is of a like strain. He had obtained a licence from archbishop Abbot's chaplain; yet was he indicted in the star-chamber as a libeller. It was thought somewhat hard, that general invectives against plays should be interpreted into satires against the king and queen, merely because they frequented these amusements, and because the queen sometimes acted a part in pastorals and interludes, which were represented at court. The author, it must be owned, had, in plainer terms, blamed the hierarchy,

the ceremonies, the innovations in religious worship, and the new superstitious, introduced by Laud;⁴¹ and this, probably, together with the obstinacy and petulance of his behaviour before the star-chamber, was the reason why his sentence was so severe. He was condemned to be put from the bar; to stand on the pillory in two places, Westminster and Cheapside; to lose both his ears, one in each place; to pay five thousand pounds fine to the king; and to be imprisoned during life.⁴²

This same Prynne was a great hero among the puritans; and it was chiefly with a view of mortifying that sect, that, though of an honourable profession, he was condemned by the Star-Chamber to so ignominious a punishment. The thorough-paced puritans were distinguishable by the sourness and austerity of their manners, and by their aversion to all pleasure and society.⁴³ To inspire them with better humour was certainly, both for their own sake and that of the public, a laudable intention in the court; but whether pillories, fines, and prisons, were proper expedients for that purpose, may admit of some question.

Another expedient which the king tried in order to infuse cheerfulness into the national devotion, was not much more successful. He renewed his father's edict for allowing sports and recreations on Sunday to such as attended public worship; and he ordered his proclamation for that purpose to be publicly read by the clergy after divine service.⁴⁴ Those who were puritanically affected refused obedience, and were punished by suspension or deprivation. The differences between the sects were before sufficiently great; nor was it necessary to widen them farther by these inventions.

Some encouragement and protection, which the king and the bishops gave to wakes, church-ales, bride-ales, and other cheerful festivals of the common people, were the objects of like scandal to the puritans.⁴⁵

On the 12th of June, Charles made a journey to Scotland, attended by the court, in order to hold a parliament there, and to pass through the ceremony of his coronation. The nobility and gentry of both kingdoms rivalled each other, in expressing all duty and respect to the king, and in showing mutual friendship and regard to each other. No one could have suspected, from exterior appearances, that such dreadful scenes were approaching.

One chief article of business (for it deserves the name) which the king transacted in this parliament, was, besides obtaining some supply, to procure authority for ordering the habits of clergymen.⁴⁶ The act did not pass without opposition and difficulty. The dreadful surplice was before men's eyes; and they apprehended, with some reason, that, under sanction of this law, it would soon be introduced among them. Though the king believed that his

prerogative entitled him to a power, in general, of directing whatever belonged to the exterior government of the church, this was deemed a matter of too great importance to be ordered without the sanction of a particular statute.

Immediately after the king's return to England, he heard of archbishop Abbot's death: and, without delay, he conferred that dignity on his favourite, Laud; who, by this accession of authority, was now enabled to maintain ecclesiastical discipline with greater rigour, and to aggravate the general discontent in the nation.

Laud obtained the bishopric of London for his friend Juxon; and, about a year after the death of sir Richard Weston, created earl of Portland, had interest enough to engage the king to make that prelate high treasurer. Juxon was a person of great integrity, mildness, and humanity, and evinced with a good understanding.⁴⁷ Yet did this last promotion give general offence. His birth and character were deemed too obscure for a man raised to one of the highest offices of the crown. And the clergy, it was thought, were already too much elated by former instances of the king's attachment to them, and needed not this farther encouragement to assume dominion over the laity.⁴⁸ The puritans, likewise, were much dissatisfied with Juxon, notwithstanding his eminent virtues, because he was a lover of profane field-sports, and hunting.

SHIP-MONEY. 1634.

SHIP-MONEY was now introduced. The first writs of this kind had been directed to sea-port towns only: but ship-money was at this time levied on the whole kingdom; and each county was rated at a particular sum, which was afterwards assessed upon individuals.⁴⁹ The amount of the whole tax was very moderate, little exceeding two hundred thousand pounds: it was levied upon the people with equality: the money was entirely expended on the navy; to the great honour and advantage of the kingdom: as England had no military force, while all the other powers of Europe were strongly armed, a fleet seemed absolutely necessary for her security: and it was obvious that a navy must be built and equipped at leisure, during peace; nor could it possibly be fitted out on a sudden emergency, when the danger became urgent: yet all these considerations could not reconcile the people to the imposition. It was entirely arbitrary: by the same right any other tax might be imposed: and men thought a powerful fleet, though very desirable both for the credit and safety of the kingdom, but an unequal recompense for their liberties, which, they apprehended, were thus sacrificed to the obtaining of it.

England, it must be owned, was, in this

respect, unhappy in its present situation, that the king had entertained a very different idea of the constitution, from that which *began* in general to prevail among his subjects. He did not regard national privileges as so sacred and inviolable, that nothing but the most extreme necessity could justify an infringement of them. He considered himself as the supreme magistrate, to whose care heaven, by his birth-right, had committed his people, whose duty it was to provide for their security and happiness, and who was vested with ample discretionary powers for that salutary purpose. If the observance of ancient laws and customs was consistent with the present convenience of government, he thought himself obliged to comply with that rule; as the easiest, the safest, and what procured the most prompt and willing obedience. But when a change of circumstances, especially if derived from the obstinacy of the people, required a new plan of administration, national privileges, he thought, must yield to supreme power; nor could any order of the state oppose any right to the will of the sovereign, directed to the good of the public.⁵⁰ That these principles of government were derived from the uniform terror of the English laws, it would be rash to affirm. The fluctuating nature of the constitution, the impatient humour of the people, and the variety of events had, no doubt, in different ages, produced exceptions and contradictions. The also abolished on both sides, that the appearances were sufficiently strong in favour of the king to apologise for his following such maxims; and that public liberty must be so precarious under this exorbitant prerogative, as to render an opposition not only excusable, but laudable in the people. [See note ZZ, at the end of this Vol.]

Some laws had been enacted, during the reign of Henry VII. against depopulation, or the converting of arable lands into pasture. By a decree of the star-chamber, sir Anthony Roper was fined four thousand pounds for an offence of that nature.⁵¹ This severe sentence was intended to terrify others into composition; and above thirty thousand pounds were levied by that expedient.⁵² Like compositions, or, in default of them, heavy fines, were required for incroachments on the king's forests; whose bounds, by decrees deemed arbitrary, were extended much beyond what was usual.⁵³ The bounds of one forest, that of Rockingham, were increased from six miles to sixty.⁵⁴ The same refractory humour which made the people refuse to the king voluntary supplies, disposed them with better reason to murmur against these irregular methods of taxation.

Morley was fined ten thousand pounds for reviling, challenging, and striking, in the court of Whitehall, sir George Theobald, one

of the king's servants.⁵⁵ This fine was thought exorbitant; but whether it was compounded, as was usual in fines imposed by the star-chamber, we are not informed.

Allison had reported, that the archbishop of York had incurred the king's displeasure, by asking a limited toleration for the catholics, and an allowance to build some churches for the exercise of their religion. For this slander against the archbishop, he was condemned in the star-chamber to be fined a thousand pounds, to be committed to prison, to be bound to his good behaviour during life, to be whipped, and to be set in the pillory at Westminster, and in three other towns in England. Robins, who had been an accomplice in the guilt, was condemned by a sentence equally severe.⁵⁶ Such events are rather to be considered as rare and detached incidents, collected by the severe scrutiny of historians, than as proofs of the prevailing genius of the king's administration, which seems to have been more gentle and equitable than that of most of his predecessors: there were, on the whole, only five or six such instances of rigour during the course of fifteen years, which elapsed before the meeting of the long parliament. And it is also certain, that scandal against the great, though seldom prosecuted at present, is, however, in the eye of the law, a great crime, and subjects the offender to very heavy penalties.

There are other instances of the high respect paid to the nobility and to the great in that age; when the powers of monarchy, though disputed, still maintained themselves in their pristine vigour. Clarendon⁵⁷ tells us a pleasant incident to this purpose: a waterman belonging to a man of quality, having a squabble with a citizen about his fare, showed his badge, the crest of his master, which happened to be a swan; and thence insisted on better treatment from the citizen. But the other replied carelessly, that he did not trouble his head about that goose. For this offence he was summoned before the marshal's court; was fined, as having opprobriously defamed the nobleman's crest, by calling the swan a goose; and was in effect reduced to beggary.

Sir Richard Granville had thought himself ill used by the earl of Suffolk in a law-suit; and he was accused before the star-chamber of having said of that nobleman, that he was a base lord. The evidence against him was somewhat lame; yet, for this slight offence, insufficiently proved, he was condemned to pay a fine of eight thousand pounds; one half to the earl, the other to the king.⁵⁸

Sir George Markham, following a chase where lord Darcy's huntsman was exercising his hounds, kept closer to the dogs than was thought proper by the huntsman, who, besides other rudeness, gave him foul language, which sir George returned with a stroke of his whip.

The fellow threatened to complain to his master: the knight replied, If his master should justify such insolence, he would serve him in the same manner, or words to that effect. Sir George was summoned before the star-chamber, and fined ten thousand pounds. *So fine a thing was it in those days to be a lord!*—a natural reflection of lord Lansdown's, in relating this incident.⁵⁹ The people, in vindicating their liberties from the authority of the crown, threw off also the yoke of the nobility. It is proper to remark, that this last incident happened early in the reign of James. The present practice of the star-chamber was far from being an innovation; though the present dispositions of the people made them repine more at this servitude.

1635. Charles had imitated the example of Elizabeth and James, and had issued proclamations forbidding the landed gentlemen and the nobility to live idly in London, and ordering them to retire to their country-seats.⁶⁰ For disobedience to this edict, many were indicted by the attorney-general, and were fined in the star-chamber.⁶¹ This occasioned discontents; and the sentences were complained of, as illegal. But if proclamations had authority, of which nobody pretended to doubt, must they not be put in execution? In no instance, I must confess, does it more evidently appear, what confused and uncertain ideas were, during that age, entertained concerning the English constitution.

Ray, having exported fullers' earth, contrary to the king's proclamation, was, besides the pillory, condemned in the star-chamber to a fine of two thousand pounds.⁶² Like fines were levied on Terry, Euan, and others, for disobeying a proclamation which forbade the exportation of gold.⁶³ In order to account for the subsequent convulsions, even these incidents are not to be overlooked, as frivolous or contemptible. Such severities were afterwards magnified into the greatest enormities.

There remains a proclamation of this year, prohibiting hackney-coaches from standing in the street.⁶⁴ We are told, that there were not above twenty coaches of that kind in London. There are, at present, near eight hundred.

1646. The effects of ship-money began now to appear. A formidable fleet of sixty sail, the greatest that England had ever known, was equipped under the earl of Northumberland, who had orders to attack the herring-busses of the Dutch, which fished in what were called the British Seas. The Dutch were content to pay thirty thousand pounds for a licence during this year. They openly denied, however, the claim of dominion in the seas beyond the friths, bays, and shores; and it may be questioned, whether the laws of nations warrant any farther Pretensions.

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This year the king sent a squadron against Saltee; and, with the assistance of the emperor of Morocco, destroyed that receptacle of pirates, by whom the English commerce, and even the English coasts, had long been infested.

1637. Burton, a divine, and Bastwick, a physician, were tried in the star-chamber for seditious and schismatical libels, and were condemned to the same punishment that had been inflicted on Prynne. Prynne himself was tried for a new offence; and, together with another fine of five thousand pounds, was condemned to lose what remained of his ears. Besides that these writers had attacked with great severity, and even an intemperate zeal, the ceremonies, rites, and government of the church; the very answers which they gave in to the court were so full of contumacy and of invectives against the prelates, that no lawyer could be prevailed on to sign them.⁶⁵ The rigours, however, which they underwent, being so unworthy men of their profession, gave general offence; and the patience, or rather alacrity, with which they suffered, increased still further the indignation of the public.⁶⁶ The severity of the star-chamber, which was generally ascribed to Laud's passionate disposition, was, perhaps, in itself somewhat blameable; but will naturally, to us, appear enormous; who enjoy, in the utmost latitude, that liberty of the press, which is esteemed so necessary in every monarchy, confined by strict legal limitations. But as these limitations were not regularly fixed during the age of Charles, nor at any time before; so was this liberty totally unknown, and was generally deemed, as well as religious toleration, incompatible with all good government. No age or nation, among the moderns, had ever set an example of such an indulgence: and it seems unreasonable to judge of the measures embraced during one period, by the maxims which prevail in another.

Burton, in his book where he complained of innovations, mentioned among others, that a certain Wednesday had been appointed for a fast, and that the fast was ordered to be celebrated without any sermons.⁶⁷ The intention, as he pretended, of that novelty was, by the example of a fast without sermons, to suppress all the Wednesday's lectures in London. It is observable, that the church of Rome and that of England, being both of them lovers of form and ceremony and order, are more friends to prayer than preaching; while the puritanical sectaries, who find that the latter method of address, being directed to a numerous audience present and visible, is more inflaming and animating, have always regarded it as the chief part of divine service. Such circumstances, though minute, it may not be improper to transmit to posterity; that those, who are curious of tracing the history of the

human mind, may remark how far its several singularities coincide in different ages.

Certain zealots had erected themselves into a society for buying-in of impropriations, and transferring them to the church; and great sums of money had been bequeathed to the society for these purposes. But it was soon observed, that the only use which they made of their funds, was, to establish lecturers in all the considerable churches; men who, without being subjected to episcopal authority, employed themselves entirely in preaching and spreading the fire of puritanism. Laud took care by a decree, which was passed in the court of exchequer, and which was much complained of, to abolish this society, and to stop their progress.⁶³ It was, however, still observed, that throughout England the lecturers were all of them puritanically affected; and from them the clergymen, who contented themselves with reading prayers and homilies to the people, commonly received the reproachful appellation of *dumb dogs*.

The puritans, restrained in England, shipped themselves off for America, and laid there the foundations of a government which possessed all the liberty, both civil and religious, of which they found themselves bereaved in their native country. But their enemies, unwilling that they should any where enjoy ease and contentment, and dreading, perhaps, the dangerous consequences of so disaffected a colony, prevailed on the king to issue a proclamation, debarring these devotees access even into those inhospitable deserts.⁶⁶ Eight ships, lying in the Thames, and ready to sail, were detained by order of the council; and these were embarked sir Arthur Hazelrig, John Hamblen, John Pym, and Oliver Cromwel,⁷⁰ who had resolved for ever to abandon their native country, and fly to the other extremity of the globe: where they might enjoy lectures and discourses of any length or form which pleased them. The king had afterwards full leisure to repent this exercise of his authority.

The bishop of Norwich, by rigorously insisting on uniformity, had banished many industrious tradesmen from that city, and chased them into Holland.⁷¹ The Dutch began to be more intent on commerce than on orthodoxy; and thought that the knowledge of useful arts and obedience to the laws formed a good citizen; though attended with errors in subjects where it is not allowable for human nature to expect any positive truth or certainty.

Complaints about this time were made, that the petition of right was, in some instances, violated, and that, upon a commitment by the king and council, bail or releasement had been refused to Jennings, Pargiter, and Danvers.⁷²

Williams, bishop of Lincoln, a man of spirit and learning, a popular prelate, and who had been lord keeper, was fined ten thousand pounds

by the star chamber, committed to the Tower during the king's pleasure, and suspended from his office. This severe sentence was founded on frivolous pretences, and was more ascribed to Laud's vengeance, than to any guilt of the bishop.⁷³ Laud, however, had owed his first promotion to the good offices of that prelate with king James. But so implacable was the haughty primate, that he raised up a new prosecution against Williams, on the strangest pretence imaginable. In order to levy the fine above mentioned, some officers had been sent to seize all the furniture and books of his episcopal palace of Lincoln; and in rummaging the house, they found in a corner some neglected letters, which had been thrown by as useless. These letters were written by one Osbaldistone, a schoolmaster, and were directed to Williams. Mention was there made of a *little great man*, and in another passage, the same person was denominated a *little urchin*. By inferences and constructions, these epithets were applied to Laud; and on no better foundation was Williams tried anew, as having received scandalous letters, and not discovering that private correspondence. For this offence another fine of eight thousand pounds was levied on him. Osbaldistone was likewise brought to trial, and condemned to pay a fine of five thousand pounds, and to have his ears nailed to the pillory before his own school. He saved himself by flight; and left a note in his study, wherein he said, "That he was gone beyond Canterbury."⁷⁴

These prosecutions of Williams seem to have been the most iniquitous measure pursued by the court during the time that the use of parliaments was suspended. Williams had been indebted for all his fortune to the favour of James; but having quarrelled, first with Buckingham, then with Laud, he threw himself into the country party; and with great firmness and vigour opposed all the measures of the king. A creature of the court to become its obstinate enemy, a bishop to countenance puritans; these circumstances excited indignation, and engaged the ministers in those severe measures. Not to mention, what some writers relate, that, before the sentence was pronounced against him, Williams was offered a pardon upon his submission, which he refused to make. The court was apt to think, that so refractory a spirit must by any expedient be broken and subdued.

In the former trial, which Williams underwent,⁷⁵ (for these were not the first,) there was mentioned, in court, a story, which, as it discovers the genius of parties, may be worth relating. Sir John Lambie urging him to prosecute the puritans, the prelate asked, what sort of people these same puritans were? Sir John replied, "That to the world they seemed to be such as would not swear, whore, or be

drunk; but they would be, cozen, and deceive: that they would frequently hear two sermons a day, and repeat them too, and that sometimes they would fast all day long." This character must be conceived to be satirical; yet it may be allowed, that that sect was more averse to such irregularities as proceed from the excess of gaiety and pleasure, than to those enormities which are the most destructive of society. The former were opposite to the very genius and spirit of their religion; the latter were only a transgression of its precepts: and it was not difficult for a gloomy enthusiast to convince himself, that a strict observance of the one would atone for any violation of the other.

In 1632, the treasurer, Portland, had insisted with the vintners, that they should submit to a tax of a penny a quart upon all the wine which they retailed. But they rejected the demand. In order to punish them, a decree, suddenly, without much inquiry or examination, passed in the star-chamber, prohibiting them to sell or dress victuals in their houses.⁷⁶ Two years after, they were questioned for the breach of this decree; and in order to avoid punishment, they agreed to lend the king six thousand pounds. Being threatened, during the subsequent years, with fines and prosecutions, they at last compounded the matter, and submitted to pay half of that duty which was at first demanded of them.⁷⁷ It required little foresight to perceive that the king's right of issuing proclamations must, if prosecuted, draw on a power of taxation.

Lilburne was accused before the star-chamber of publishing and dispersing seditious pamphlets. He was ordered to be examined; but refused to take the oath usual in that court, that he would answer interrogatories, even though they might lead him to accuse himself. For this contempt, as it was interpreted, he was condemned to be whipped, pilloried, and imprisoned. While he was whipped at the cart, and stood on the pillory, he harangued the populace, and declaimed violently against the tyranny of bishops. From his pockets also he scattered pamphlets, said to be seditious; because they attacked the hierarchy. The star-chamber, which was sitting at that very time, ordered him immediately to be gagged. He ceased not, however, though both gagged and pilloried, to stamp with his foot, and gesticulate, in order to show the people, that, if he had it in his power, he would still harangue them. This behaviour gave fresh provocation to the star-chamber; and they condemned him to be imprisoned in a dungeon, and to be loaded with irons.⁷⁸ It was found difficult to break the spirits of men who placed both their honour and their conscience in suffering.

The jealousy of the church appeared in

another instance less tragical. Archy, the king's fool, who, by his office, had the privilege of jesting on his master, and the whole court, happened unluckily to try his wit upon Laud, who was too sacred a person to be played with. News having arrived from Scotland of the first commotions excited by the liturgy, Archy seeing the primate pass by, called to him, *Who's fool, now, my lord?* For this offence, Archy was ordered, by sentence of the council, to have his coat pulled over his head, and to be dismissed the king's service.⁷⁹

Here is another instance of that rigorous subjection in which all men were held by Laud. Some young gentlemen of Lincoln's-inn, heated by their cups, having drunk confusion to the archbishop, were at his instigation cited before the star-chamber. They applied to the earl of Dorset for protection. *Who bears witness against you?* said Dorset. *One of the drawers, they said. Where did he stand, when you were supposed to drink this health?* subjoined the earl. *He was at the door, they replied, going out of the room. Tush!* cried he, *the drawer was mistaken: you drank confusion to the archbishop of Canterbury's enemies: and the fellow was gone before you pronounced the last word.* This hint supplied the young gentlemen with a new method of defence: and being advised by Dorset to behave with great humility and great submission to the primate; the modesty of their carriage, the ingenuity of their apology, with the patronage of that noble lord, saved them from any severer punishment than a reproof and admonition, with which they were dismissed.⁸⁰

TRIAL OF HAMBDEN.

This year, John Hambden acquired, by his spirit and courage, universal popularity throughout the nation, and has merited great renown with posterity, for the bold stand which he made in defence of the laws and liberties of his country. After the imposing of ship-money, Charles, in order to discourage all opposition, had proposed this question to the judges: "Whether, in a case of necessity, for the defence of the kingdom, he might not impose this taxation; and whether he were not sole judge of the necessity?" These guardians of law and liberty replied with great complaisance, "That in a case of necessity he might impose that taxation, and that he was sole judge of the necessity."⁸¹ Hambden had been rated at twenty shillings, for an estate which he possessed in the county of Buckingham: yet notwithstanding this declared opinion of the judges, notwithstanding the great power, and sometimes rigorous maxims of the crown, notwithstanding the small prospect of relief from parliament; he resolved, rather than tamely

submit to so illegal an imposition, to stand a legal prosecution, and expose himself to all the indignation of the court. The case was argued during twelve days, in the exchequer-chamber, before all the judges of England; and the nation regarded, with the utmost anxiety, every circumstance of this celebrated trial. The event was easily foreseen: but the principles, and reasonings, and behaviour of the parties engaged in the trial, were much canvassed and inquired into; and nothing could equal the favour paid to the one side, except the hatred which attended the other.

It was urged by Hamden's counsel, and by his partisans in the nation, that the plea of necessity was in vain introduced into a trial of law; since it was the nature of necessity to abolish all law, and, by irresistible violence, to dissolve all the weaker and more artificial ties of human society. Not only the prince, in cases of extreme distress, is exempted from the ordinary rules of administration: all orders of men are then levelled; and any individual may consult the public safety by any expedient which his situation enables him to employ. But to produce so violent an effect, and so hazardous to every community, an ordinary danger or difficulty is not sufficient; much less, a necessity which is merely fictitious and pretended. Where the peril is urgent and extreme, it will be palpable to every member of the society; and though all ancient rules of government are in that case abrogated, men will readily, of themselves, submit to that irregular authority, which is exerted for their preservation. But what is there in common between such suppositions, and the present condition of the nation? England enjoys a profound peace with all her neighbours: and what is more, all her neighbours are engaged in furious and bloody wars among themselves, and by their mutual enmities farther ensure her tranquillity. The writs themselves, which are issued for the levying of ship-money, contradict the supposition of necessity, and pretend only that the seas are infested with pirates; a slight and temporary inconvenience, which may well await a legal supply from parliament. The writs likewise allow several months for equipping the ships; which proves a very calm and deliberate species of necessity, and one that admits of delay much beyond the forty days requisite for summoning that assembly. It is strange too, that an extreme necessity which is always apparent, and usually comes to a sudden crisis, should now have continued, without interruption, for near four years, and should have remained, during so long a time, invisible to the whole kingdom. And as to the pretension, that the king is sole judge of the necessity; what is this but to subject all the privileges of the nation to his arbitrary will and pleasure? To expect that

the public will be convinced by such reasoning, must aggravate the general indignation; by adding, to violence against men's persons and their property, so cruel a mockery of their understanding.

In vain are precedents of ancient writs produced: these writs, when examined, are only found to require the sea-ports, sometimes at their own charge, sometimes at the charge of the counties, to send their ships for the defence of the nation. Even the prerogative, which empowered the crown to issue such writs, is abolished, and its exercise almost entirely discontinued from the time of Edward III.⁸² and all the authority which remained, or was afterwards exercised, was to press ships into the public service, to be paid for by the public. How wide are these precedents from a power of obliging the people, at their own charge, to build new ships, to victual and pay them, for the public; nay, to furnish money to the crown for that purpose! What security either against the farther extension of this claim, or against diverting to other purposes the public money, so levied? The plea of necessity would warrant any other taxation as well as that of ship money: wherever any difficulty shall occur, the administration, instead of endeavouring to elude or overcome it by gentle and prudent measures, will instantly represent it as a reason for infringing all ancient laws and institutions: and if such maxims and such practices prevail, what has become of national liberty? What authority is left to the great charter, to the statutes, and to that very petition of right, which, in the present reign, had been so solemnly enacted by the concurrence of the whole legislature?

The defenceless condition of the kingdom while unprovided with a navy; the inability of the king, from his established revenues, with the utmost care and frugality, to equip and maintain one; the impossibility of obtaining, on reasonable terms, any voluntary supply from parliament: all these are reasons of state, not topics of law. If these reasons appear to the king so urgent as to dispense with the legal rules of government; let him enforce his edicts by his court of star-chamber, the proper instrument of irregular and absolute power; not prostitute the character of his judges by a decree which is not, and cannot possibly be legal. By this means the boundaries at least will be kept more distinct between ordinary law and extraordinary exertions of prerogative; and men will know that the national constitution is only suspended during a present and difficult emergence, but has not undergone a total and fundamental alteration.

Notwithstanding these reasons, the prejudiced judges, four excepted,⁸³ gave sentence in favour of the crown. Hamden, however,

obtained by the trial the end for which he had so generously sacrificed his safety and his quiet : the people were roused from their lethargy, and became sensible of the danger to which their liberties were exposed. These national questions were canvassed in every company; and the more they were examined, the more evidently did it appear to many, that liberty was totally subverted, and an unusual and arbitrary authority exercised over the kingdom. Slavish principles, they said, concur with illegal practices; ecclesiastical tyranny gives aid to civil usurpation; iniquitous taxes are supported by arbitrary punishments; and all the privileges of the nation, transmitted through so many ages, secured by so many laws, and purchased by the blood of so many heroes and patriots, now lie prostrate at the feet of the monarch. What though public peace and national industry increased the commerce and opulence of the kingdom? This

advantage was temporary, and due alone, not to any encouragement given by the crown, but to the spirit of the English, the remains of their ancient freedom. What though the personal character of the king, amidst all his misguided counsels, might merit indulgence, or even praise? He was but one man; and the privileges of the people, the inheritance of millions, were too valuable to be sacrificed to his prejudices and mistakes. Such, or more severe, were the sentiments promoted by a great party in the nation: no excuse on the king's part, or alleviation, how reasonable soever, could be hearkened to or admitted: and to redress these grievances, a parliament was impatiently longed for; or any other incident, however calamitous, that might secure the people against those oppressions which they felt, or the greater ills which they apprehended from the combined encroachments of church and state. *

NOTES.

- 1 Rushworth, vol. ii. p. 23, 24.
- 2 Rushworth, vol. ii. p. 75. Whitlocke, p. 14.
- 3 Rushworth, vol. ii. p. 46, 53, 62, 63.
- 4 Franklyn, vol. i. p. 415.
- 5 May, p. 21.
- 6 Sir Edward Walker, p. 328.
- 7 Whitlocke, p. 13. May, p. 20.
- 8 May, p. 21.
- 9 Rushworth, vol. ii. p. 190. Welwood, p. 61.
- 10 Rushworth, vol. ii. p. 157. Whitlocke, p. 97.
- 11 Rushworth, vol. ii. p. 76, 77. Welwood, p. 275. Franklyn, p. 386.
- 12 Rushworth, vol. ii. p. 207. Whitlocke, p. 24.
- 13 Rushworth, vol. ii. p. 279, 273.
- 14 Rushworth, vol. ii. p. 152. State Trials, vol. v. p. 16. Franklyn, p. 410, 411, 412.
- 15 Rushworth, vol. ii. p. 186.
- 16 Rushworth, vol. ii. p. 249. Franklyn, p. 451.
- 17 Rushworth, vol. ii. p. 272.
- 18 State Papers collected by the earl of Clarendon, p. 338.
- 19 Whitlocke, p. 22.
- 20 Franklyn, p. 114. Rushworth, vol. i. p. 201.
- 21 Parl. Hist. vol. viii. p. 389. Rushworth, vol. ii. p. 3.
- 22 Clarendon, vol. i. p. 4. May, p. 16.
- 23 Rushworth, vol. ii. p. 8. May, p. 14.
- 24 Rushworth, vol. ii. p. 9.
- 25 Rushworth, vol. ii. p. 10.
- 26 Rushworth, vol. ii. p. 11, 12, 13, 247.
- 27 Rushworth, vol. ii. p. 49.
- 28 *Synodus de militibus*.
- 29 Rymer, tom. xv. p. 124.
- 30 Rymer, tom. xv. p. 493, 504.
- 31 Rushworth, vol. ii. p. 70, 71, 72. May, p. 16.
- 32 Rushworth, vol. ii. p. 39.
- 33 Kennet's complete Hist. vol. iii. p. 60. Whitlocke, p. 15.
- 34 Kennet's complete Hist. vol. iii. p. 17.
- 35 Rushworth, vol. ii. p. 88, 89, 90, 207, 408, 718.
- 36 Rushworth, vol. ii. p. 103.
- 37 Rushworth, vol. ii. p. 136, 142, 189.
- 38 Franklyn
- 39 Rushworth
- 40 Rushworth, vol. ii. p. 288.
- 41 Rushworth, vol. ii. p. 348.
- 42 Rushworth, vol. ii. p. 350.
- 43 Rushworth, vol. ii. p. 316.
- 44 Rushworth, vol. ii. p. 381, 382, &c. State Trials, vol. v. p. 66.
- 45 State Trials, vol. v. p. 60.
- 46 State Trials, vol. v. p. 74. Franklyn, p. 1.
- 47 Rushworth, vol. ii. 150, 151. Whitlocke, p. 15. History of the Life and Sufferings of Laud, p. 211, 212. Rushworth, vol. ii. p. 409, 418.
- 48 Math. Hist. of New England, book i. Dugdale. Bates. Hutchinson's Hist. of Massachusetts Bay, vol. i. p. 42. This last quoted author puts the fact beyond controversy. And it is a curious
- 49 ters of the men, as of the times. Can any one doubt, that the ensuing quarrel was almost entirely theological; not political? What might be expected of the populace, when such was the character of the most enlightened leaders? May, p. 82.
- 50 Rushworth, vol. ii. p. 414.
- 51 Rushworth, vol. ii. p. 410, &c.
- 52 Rushworth, vol. ii. p. 803, &c. Whitlocke, p. 25.
- 53 Rushworth, vol. ii. p. 416.
- 54 Rushworth, vol. ii. p. 197.
- 55 Rushworth, vol. ii. p. 451.
- 56 Rushworth, vol. ii. p. 465, 466, 467.
- 57 Rushworth, vol. ii. p. 470. Welwood, p. 278.
- 58 Rushworth, vol. ii. p. 180.
- 59 Rushworth, vol. ii. p. 355. Whitlocke, p. 24.
- 60 State Trials, vol. v. p. 245, 246.
- 61 See State Trials; article Ship-money which contains the speeches of some judges in favour of Hamden

CHAPTER LIII.

Discontents in Scotland.—Introduction of the Canons and Liturgy.—A Tumult at Edinburgh.—The Covenant.—A general Assembly.—Episcopacy abolished.—War.—A Pacification.—Renewal of the War.—Fourth English Parliament.—Dissolution.—Discontents in England.—Rout at Newburn.—Treaty at Rippon.—Great Council of the Peers

THE grievances under which the English laboured, when considered in themselves, without regard to the constitution, scarcely deserve the name; nor were they either burdensome on the people's properties, or any way shocking to the natural humanity of mankind. Even the imposition of ship-money, independent of the consequences, was a great and evident advantage to the public, by the judicious use which the king made of the money levied by that expedient. And though it was justly apprehended, that such precedents, if patiently submitted to, would end in a total disuse of parliaments, and in the establishment of arbitrary authority; Charles dreaded no opposition from the people, who are not commonly much affected with consequences, and require some striking motive to engage them in a resistance of established government.¹ All ecclesiastical affairs were settled by law and uninterrupted precedent; and the church was become a considerable barrier to the power, both legal and illegal, of the crown. Peace too, industry, commerce, opulence; nay, even justice and lenity of administration, notwithstanding some very few exceptions: all these were enjoyed by the people; and every other blessing of government, except liberty, or rather the present exercise of liberty and its proper security.² It seemed probable, therefore, that affairs might long have continued on the same footing in England, had it not been for the neighbourhood of Scotland; a country more turbulent, and less disposed to submission and obedience. It was thence the commotions first arose; and it is therefore time for us to return thither, and to give an account of the state of affairs in that kingdom.

DISCONTENTS IN SCOTLAND.

Though the pacific, and not unskilful government of James, and the great authority which he had acquired, had much allayed the feuds among the great families, and had established law and order throughout the kingdom; the Scottish nobility were still possessed of the chief power and influence over the people. Their property was extensive; their hereditary jurisdictions and the feudal tenures increased their authority; and the attachment of the

gentry to the heads of families established a kind of voluntary servitude, under the chieftains. Besides that long absence had much loosened the king's connexions with the nobility, who resided chiefly at their country-seats; they were in general at this time, though from slight causes, much disgusted with the court. Charles, from the natural piety or superstition of his temper, was extremely attached to the ecclesiastics: and as it is natural for men to persuade themselves that their interest coincides with their inclination; he had established it as a fixed maxim of policy, to increase the power and authority of that order. The prelates, he thought, established regularity and discipline among the clergy; the clergy inculcated obedience and loyalty among the people: and as that rank of men had no separate authority, and no dependence but on the crown; the royal power, it would seem, might with the greater safety be intrusted in their hands. Many of the prelates, therefore, were raised to the chief dignities of the state:³ Spotswood, archbishop of St. Andrews, was created chancellor: nine of the bishops were privy counsellors: the bishop of Ross aspired to the office of treasurer: some of the prelates possessed places in the exchequer: and it was even endeavoured to revive the first institution of the college of justice, and to share equally between the clergy and laity the whole judicial authority.⁴ These advantages, possessed by the church, and which the bishops did not always enjoy with suitable modesty, disgusted the haughty nobility, who, deeming themselves much superior in rank and quality to this new order of men, were displeased to find themselves inferior in power and influence. Interest joined itself to ambition, and begat a jealousy, lest the episcopal sees, which, at the reformation, had been pillaged by the nobles, should again be enriched at the expence of that order. By a most useful and beneficial law, the impropriations had already been ravished from the great men: competent salaries had been assigned to the impoverished clergy from the tithes of each parish: and what remained, the proprietor of the land was empowered to purchase at a low valuation.⁵ The king likewise, warranted by ancient law and practice, had declared for a general resumption of all

crown-lands, alienated by his predecessors; and though he took no step towards the execution of this project, the very pretension to such power had excited jealousy and discontent.⁵

Notwithstanding the tender regard which Charles bore to the whole church, he had been able, in Scotland, to acquire only the affection of the superior rank among the clergy. The ministers in general equalled, if not exceeded, the nobility, in their prejudices against the court, against the prelates, and against episcopal authority.⁶ Though the establishment of the hierarchy might seem advantageous to the inferior clergy, both as it erected dignities to which all of them might aspire, and as it bestowed a lustre on the whole body, and allured men of family into it; these views had no influence on the Scottish ecclesiastics. In the present disposition of men's minds, there was another circumstance which drew consideration, and counter-balanced power and riches, the usual foundations of distinction among men; and that was, the fervour of piety, and the rhetoric, however barbarous, of religious lectures and discourses. Checked by the prelates in the licence of preaching, the clergy regarded episcopal jurisdiction both as tyranny and an usurpation, and maintained a parity among ecclesiastics to be a divine privilege, which no human law could alter or mixinge. While such ideas prevailed, the most moderate exercise of authority would have given disgust; much more, that extensive power, which the king's indulgence encouraged the prelates to assume. The jurisdiction of presbyteries, synods, and other democratical courts, was, in a manner, abolished by the bishops; and the general assembly itself had not been summoned for several years.⁷ A new oath was arbitrarily imposed on intrants, by which they swore to observe the articles of Perth, and submit to the liturgy and canons. And in a word, the whole system of church government, during a course of thirty years, had been changed by means of the innovations introduced by James and Charles.

The people, under the influence of the nobility and clergy, could not fail to partake of the discontents which prevailed among these two orders; and where real grounds of complaint were wanting, they greedily had hold of imaginary ones. The same horror against popery, with which the English puritans were possessed, was observable among the populace in Scotland; and among these, as being more uncultivated and uncivilized, seemed rather to be inflamed into a higher degree of ferocity. The genius of religion, which prevailed in the court and among the prelates, was of an opposite nature; and having some affinity to the Romish worship, led them to mollify, as much as possible, the severe prejudices, and

to speak of the catholics in more charitable language, and with more reconciling expressions. From this foundation, a panic fear of popery was easily raised; and every new ceremony or ornament, introduced into divine service, was part of that great mystery of iniquity, which, from the encouragement of the king and the bishops, was to overspread the nation.⁸ The few innovations, which James had made, were considered as preparatives to this grand design; and the farther alterations attempted by Charles were represented as a plain declaration of his intentions. Through the whole course of this reign, nothing had more fatal influence, in both kingdoms, than this groundless apprehension, which with so much industry was propagated, and with so much credulity was embraced, by all ranks of men.

Amidst these dangerous complaints and errors of religious innovation, the civil and ecclesiastical liberties of the nation were imagined, and with some reason, not to be altogether free from invasion.

The establishment of the high commission by James without any authority of law, seemed a considerable encroachment of the crown, and erected the most dangerous and arbitrary of all courts, by a method equally dangerous and arbitrary. All the steps towards the settlement of episcopacy had indeed been taken with consent of parliament; the articles of Perth were confirmed in 1621: in 1633, the king had obtained a general ratification of every ecclesiastical establishment: but these laws had less authority with the nation, as they were known to have passed contrary to the sentiments even of those who voted for them, and were in reality extorted by the authority and importunity of the sovereign. The means, however, which both James and Charles had employed, in order to influence the parliament, were entirely regular; and no reasonable pretence had been afforded for representing these laws as null or invalid.

But there prevailed among the greater part of the nation another principle, of the most important and most dangerous nature, and which, if admitted, destroyed entirely the validity of all such statutes. The ecclesiastical authority was supposed totally independent of the civil; and no act of parliament, nothing but the consent of the church itself, was represented as sufficient ground for the introduction of any change in religious worship or discipline. And though James had obtained the vote of assemblies for receiving episcopacy and his new rites, it must be confessed that such irregularities had prevailed in constituting these ecclesiastical courts, and such violence in conducting them, that there were some grounds for denying the authority of all their acts. Charles, sensible that an extorted

consent, attended with such invidious circumstances, would rather be prejudicial to his measures, had wholly laid aside the use of assemblies, and was resolved, in conjunction with the bishops, to govern the church by an authority, to which he thought himself fully entitled, and which he believed inherent in the crown.

The king's great aim was to complete the work so happily begun by his father; to establish discipline upon a regular system of canons, to introduce a liturgy into public worship, and to render the ecclesiastical government of all his kingdom regular and uniform. Some views of policy might move him to this undertaking; but his chief motives were derived from principles of zeal and conscience.

CANONS AND LITURGY INTRODUCED.

THE canons for establishing ecclesiastical jurisdiction were promulgated in 1633; and were received by the nation, though without much appearing opposition, yet with great inward apprehension and discontent. Men felt displeasure at seeing the royal authority highly exalted by them, and represented as absolute and uncontrollable. They saw these speculative principles reduced to practice, and a whole body of ecclesiastical laws established without any previous consent either of church or state.⁹ They dreaded lest, by a parity of reason, like arbitrary authority, from like pretences and principles, would be assumed in civil matters: they remarked, that the delicate boundaries which separate church and state were already passed, and many civil ordinances established by the canons, under colour of ecclesiastical institutions: and they were apt to deride the negligence with which these important edicts had been compiled, when they found that the new liturgy or service-book was every where, under severe penalties, enjoined by them, though it had not yet been composed or published.¹⁰ It was, however, soon expected; and in the reception of it, as the people are always most affected by what is external and exposed to the senses, it was apprehended that the chief difficulty would consist.

The liturgy which the king, from his own authority, imposed on Scotland, was copied from that of England: but lest a servile imitation might shock the pride of his ancient kingdom, a few alterations, in order to save appearances, were made in it; and in that shape it was transmitted to the bishops at Edinburgh.¹¹ But the Scots had universally entertained a notion, that though riches and worldly glory had been shared out to them with a sparing hand, they could boast of spiritual treasures more abundant and more genuine than were enjoyed by any nation under heaven. Even their southern neighbours,

they thought, though separated from Rome, still retained a great tincture of the primitive pollution, and their liturgy was represented as a species of mass, though with some less show and embroidery.¹² Great prejudices, therefore, were entertained against it, even considered in itself; much more when regarded as a preparative, which was soon to introduce into Scotland all the abominations of popery. And as the very few alterations which distinguished the new liturgy from the English, seemed to approach nearer to the doctrine of the real presence, this circumstance was deemed an undoubted confirmation of every suspicion with which the people were possessed.¹³

Easter-day was, by proclamation, appointed for the first reading of the service in Edinburgh: but in order to judge more surely of men's dispositions, the council delayed the matter till the 23d of July; and they even gave notice, the Sunday before, of their intention to commence the use of the new liturgy. As no considerable symptoms of discontent appeared, they thought that they might safely proceed in their purpose;¹⁴ and accordingly, in the cathedral church of St. Giles, the dean of Edinburgh, arrayed in his surplice, began the service; the bishop himself and many of the privy-council being present. But no sooner had the dean opened the book, than a multitude of the meanest sort, most of them women, clapping their hands, cursing, and crying out, *A pope! a pope! antichrist! stone him!* raised such a tumult, that it was impossible to proceed with the service. The bishop, mounting the pulpit, in order to appease the populace, had a stool thrown at him: the council was insulted: and it was with difficulty that the magistrates were able, partly by authority, partly by force, to expel the rabble, and to shut the door against them. The tumult, however, still continued without: stones were thrown at the doors and windows; and when the service was ended, the bishop, going home, was attacked, and narrowly escaped from the hands of the enraged multitude. In the afternoon, the privy-seal, because he carried the bishop in his coach, was so pelted with stones, and hooted at with execrations, and pressed upon by the eager populace, that, if his servants, with drawn swords, had not kept them off, the bishop's life had been exposed to the utmost danger.¹⁵

Though it was violently suspected, that the low populace, who alone appeared, had been instigated by some of higher condition, yet no proof of it could be produced; and every one spake with disapprobation of the licentiousness of the giddy multitude.¹⁶ It was not thought safe, however, to hazard a new insult by any new attempt to read the liturgy; and the people seemed, for the time, to be appeased and satisfied. But it being known that the

king still persevered in his intentions of imposing that mode of worship, men fortified themselves still farther in their prejudices against it; and great multitudes resorted to Edinburgh, in order to oppose the introduction of so hated a novelty.¹⁷ It was not long before they broke out in the most violent disorder. The bishop of Galloway was attacked in the streets (18th Oct.), and chased into the chamber where the privy-council was sitting. The council itself was besieged and violently attacked: the town-council met with the same fate: and nothing could have saved the lives of all of them, but their application to some popular lords, who protected them, and dispersed the multitude. In this sedition, the actors were of some better condition than in the former; though nobody of rank seemed, as yet, to countenance them.¹⁸

All men, however, began to unite and to encourage each other, in opposition to the religious innovations introduced into the kingdom. Petitions to the council were signed and presented by persons of the highest quality: the women took part, and, as was usual, with violence: the clergy, every where, loudly declaimed against popery and the liturgy, which they represented as the same. The pulpits resounded with vehement invectives against antichrist: and the populace, who first opposed the service, was often compared to Balaam's ass, an animal, in itself, stupid and senseless, but whose mouth had been opened by the Lord, to the admiration of the whole world.¹⁹ In short, fanaticism mingling with faction, private interest with the spirit of liberty, symptoms appeared, on all hands, of the most dangerous insurrection and disorder.

The primate, a man of wisdom and prudence, who was all along averse to the introduction of the liturgy, represented to the king the state of the nation: the earl of Traquair, the treasurer, set out for London, in order to lay the matter more fully before him: every circumstance, whether the condition of England or of Scotland were considered, should have engaged him to desist from so hazardous an attempt: yet was Charles inflexible. In his whole conduct of this affair, there appear no marks of the good sense with which he was endowed: a lively instance of that species of character so frequently to be met with; where there are sound parts and judgment in every discourse and opinion; in many actions indiscretion and imprudence. Men's views of things are the result of their understanding alone: their conduct is regulated by their understanding, their temper, and their passions.

1638. To so violent a combination of a whole kingdom, Charles had nothing to oppose but a proclamation (19th Feb.); in which he pardoned all past offences, and exhorted the people to be more obedient for the future, and

submit peaceably to the use of the liturgy. This proclamation was instantly encountered with a public protestation, presented by the earl of Hume and lord Lindsey: and this was the first time that men of quality had appeared in any violent act of opposition.²⁰ But this proved a crisis. The insurrection, which had been advancing by a gradual and slow progress, now blazed up at once. No disorder, however, attended it. On the contrary, a new order immediately took place. Four *tables*, as they were called, were formed in Edinburgh. One consisted of nobility, another of gentry, a third of ministers, a fourth of burgesses. The table of gentry was divided into many subordinate tables, according to their different counties. In the hands of the four tables, the whole authority of the kingdom was placed. Orders were issued by them, and every where obeyed, with the utmost regularity.²¹ And among the first acts of their government was the production of the COVENANT.

THE COVENANT.

THIS famous covenant consisted first of a renunciation of popery, formerly signed by James in his youth, and composed of many invectives, fitted to inflame the minds of men against their fellow-creatures, whom heaven has enjoined them to cherish and to love. There followed a bond of union, by which the subscribers obliged themselves to resist religious innovations, and to defend each other against all opposition whatsoever: and all this, for the greater glory of God, and the greater honour and advantage of their king and country:²² the people, without distinction of rank or condition, of age or sex, flocked to the subscription of this covenant: few, in their judgment, disapproved of it; and still fewer durst openly condemn it. The king's ministers and counsellors themselves were, most of them, seized by the general contagion. And none but rebels to God, and traitors to their country, it was thought, would withdraw themselves from so salutary and so pious a combination.

The treacherous, the cruel, the unrelenting Philip, accompanied with all the terrors of a Spanish inquisition, was scarcely, during the preceding century, opposed in the Low Countries with more determined fury, than was now, by the Scots, the mild, the humane Charles, attended with his inoffensive liturgy.

In June, the king began to apprehend the consequences. He sent the marquis of Hamilton, as commissioner, with authority to treat with the covenanters. He required the covenant to be renounced and recalled: and he thought, that on his part he had made very satisfactory concessions, when he offered to suspend the canons and the liturgy, till, in a fair and legal way, they could be received;

and so to model the high commission, that it should no longer give offence to his subjects.²³ Such general declarations could not well give content to any, much less to those who carried so much higher their pretensions. The covenanters found themselves seconded by the zeal of the whole nation. Above sixty thousand people were assembled in a tumultuous manner in Edinburgh and the neighbourhood. Charles possessed no regular forces in either of his kingdoms. And the discontents in England, though secret, were believed so violent, that the king, it was thought, would find it very difficult to employ in such a cause the power of that kingdom. The more, therefore, the popular leaders in Scotland considered their situation, the less apprehension did they entertain of royal power, and the more rigorously did they insist on entire satisfaction. In answer to Hamilton's demand of renouncing the covenant, they plainly told him, that they would sooner renounce their baptism.²⁴ And the clergy invited the commissioner himself to subscribe it, by informing him, "With what peace and comfort it had filled the hearts of all God's people; what resolutions and beginnings of reformation of manners were sensibly perceived in all parts of the nation, above any measure they had ever before found or could have expected; how great glory the Lord had received thereby; and what confidence they had that God would make Scotland a blessed kingdom."²⁵

Hamilton returned to London: made another fruitless journey, with new concessions, to Edinburgh. returned again to London; and was immediately sent back with still more satisfactory concessions. (17th Sept.) The king was now willing entirely to abolish the canons, the liturgy, and the high commission court. He was even resolved to limit extremely the power of the bishops, and was content if on any terms he could retain that order in the church of Scotland.²⁶ And to ensure all these gracious offers, he gave Hamilton authority to summon first an assembly, then a parliament, where every national grievance might be redressed and remedied. These successive concessions of the king, which yet came still short of the rising demands of the malcontents, discovered his own weakness, encouraged their insolence, and gave no satisfaction. The offer, however, of an assembly and a parliament, in which they expected to be entirely masters, was willingly embraced by the covenanters.

Charles, perceiving what advantage his enemies had reaped from their covenant, resolved to have a covenant on his side; and he ordered one to be drawn up for that purpose. It consisted of the same violent renunciation of popery above mentioned; which, though the king did not approve of it, he thought it

safest to adopt, in order to remove all the suspicions entertained against him. As the covenanters, in their bond of mutual defence against all opposition, had been careful not to except the king; Charles had formed a bond, which was annexed to this renunciation, and which expressed the duty and loyalty of the subscribers to his majesty.²⁷ But the covenanters, perceiving that this new covenant was only meant to weaken and divide them, received it with the utmost scorn and detestation. And without delay they proceeded to model the future assembly, from which such great achievements were expected.²⁸

A GENERAL ASSEMBLY.

THE genius of that religion which prevailed in Scotland, and which every day was secretly gaining ground in England, was far from inculcating deference and submission to the ecclesiastics, merely as such: or rather, by nourishing in every individual the highest raptures and ecstasies of devotion, it consecrated, in a manner, every individual, and, in his own eyes, bestowed a character on him, much superior to what forms and ceremonious institutions could alone confer. The clergy of Scotland, though such tumult was excited about religious worship and discipline, were both poor and in small numbers; nor are they in general to be considered, at least in the beginning, as the ringleaders of the sedition, which was raised on their account. On the contrary, the laity, apprehending from several instances which occurred, a spirit of moderation in that order, resolved to domineer entirely in the assembly, which was summoned, and to hurry on the ecclesiastics by the same furious zeal with which they were themselves transported.²⁹

It had been usual, before the establishment of prelacy, for each presbytery to send to the assembly, besides two or three ministers, one lay-commissioner;³⁰ and, as all the boroughs and universities sent likewise commissioners, the lay-members in that ecclesiastical court nearly equalled the ecclesiastics. Not only this institution, which James, apprehensive of zeal in the laity, had abolished, was now revived by the covenanters: they also introduced, an innovation which served still farther to reduce the clergy to subjection. By an edict of the tables, whose authority was supreme, an elder from each parish was ordered to attend the presbytery, and to give his vote in the choice both of the commissioners and ministers who should be deputed to the assembly. As it is not usual for the ministers who are put in the list of candidates, to claim a vote, all the elections by that means fell into the hands of the laity: the most furious of all ranks were chosen; and the more to overawe

the clergy, a new device was fallen upon, of choosing to every commissioner, four or five lay-assessors, who, though they could have no vote, might yet interpose with their advice and authority in the assembly.³¹

EPISCOPACY ABOLISHED.

THE assembly met at Glasgow: and, besides a great concourse of the people, all the nobility and gentry of any family or interest were present, either as members, assessors, or spectators; and it was apparent, that the resolutions taken by the covenanters, could here meet with no manner of opposition. A firm determination had been entered into, of utterly abolishing episcopacy; and as a prelude to it, there was laid before the presbytery of Edinburgh, and solemnly read in all the churches of the kingdom, an accusation against the bishops, as guilty, all of them, of heresy, simony, bribery, perjury, cheating, incest, adultery, fornication, common swearing, drunkenness, gaming, breach of the sabbath, and every other crime that had occurred to the accusers.³² The bishops sent a protest, declining the authority of the assembly; the commissioner too protested against that court, as illegally constituted and elected; and, in his majesty's name, dissolved it. This measure was foreseen, and little regarded. The court still continued to sit, and to finish their business.³³ All the acts of assembly since the accession of James to the crown of England were, upon pretty reasonable grounds, declared null and invalid. The acts of parliament which affected ecclesiastical affairs were supposed, on that very account, to have no manner of authority. And thus episcopacy, the high commission, the articles of Perth, the canons, and the liturgy, were abolished and declared unlawful: and the whole fabric, which James and Charles, in a long course of years, had been rearing with so much care and policy, fell at once to the ground. The covenant likewise was ordered to be signed by every one, under pain of excommunication.³⁴

1639. The independency of the ecclesiastical upon the civil power was the old presbyterian principle, which had been zealously adopted at the reformation, and which, though James and Charles had obliged the church publicly to disclaim it, had secretly been adhered to by all ranks of people. It was commonly asked, whether Christ or the king were superior? And as the answer seemed obvious, it was inferred, that the assembly, being Christ's council, was superior in all spiritual matters to the parliament, which was only the king's. But as the covenanters were sensible that this consequence, though it seemed to them irrefragable, would not be assented to by the king, it became necessary to maintain their religion

tenets by military force, and not to trust entirely to supernatural assistance, of which, however, they held themselves well assured. They cast their eyes on all sides, abroad and at home, whence ever they could expect any aid or support.

After France and Holland had entered into a league against Spain, and framed a treaty of partition, by which they were to conquer and to divide between them the Low Country provinces, England was invited to preserve a neutrality between the contending parties, while the French and Dutch should attack the maritime towns of Flanders. But the king replied to d'Estrades, the French ambassador, who opened the proposal, that he had a squadron ready, and would cross the seas, if necessary, with an army of fifteen thousand men, in order to prevent these projected conquests.³⁵ This answer, which proves that Charles, though he expressed his mind with an imprudent candour, had at last acquired a just idea of national interest, irritated cardinal Richlieu; and in revenge, that politic and enterprising minister carefully fomented the first commotions in Scotland, and secretly supplied the covenanters with money and arms, in order to encourage them in their opposition against their sovereign.

WAR.

BUT the chief resource* of the Scottish malecontents was in themselves, and in their own vigour and abilities. No regular established commonwealth could take juster measures, or execute them with greater promptitude, than did this tumultuous combination, inflamed with bigotry for religious trifles, and faction without a reasonable object. The whole kingdom was in a manner engaged; and the men of greatest abilities soon acquired the ascendant, which their family interest enabled them to maintain. The earl of Argyle, though he long seemed to temporise, had at last embraced the covenant; and he became the chief leader of that party: a man equally supple and inflexible, cautious and determined, and entirely qualified to make a figure during a factious and turbulent period. The earls of Rothes, Cassils, Montrose, Lothian, the lords Audesey, Loudon, Yester, Balmerino, distinguished themselves in that party. Many Scotch officers had acquired reputation in the German wars, particularly under Gustavus; and these were invited over to assist their country in her present necessity. The command was intrusted to Lesley, a soldier of experience and abilities. Forces were regularly enlisted and disciplined. Arms were commissioned and imported from foreign countries. A few castles which belonged to the king, being unprovided with victuals,

ammunition, and garrisons, were soon seized. And the whole country, except a small part, where the marquis of Huntley still adhered to the king, being in the hands of the covenanters, was in a very little time put in a tolerable posture of defence.³⁶

The fortifications of Leith were begun and carried on with great rapidity. Besides the inferior sort, and those who laboured for pay, incredible numbers of volunteers, even noblemen and gentlemen, put their hand to the work, and deemed the most abject employment to be dignified by the sanctity of the cause. Women too of rank and condition, forgetting the delicacy of their sex, and the decorum of their character, were intermingled with the lowest rabble; and carried on their shoulders the rubbish requisite for completing the fortifications.³⁷

We must not omit another auxiliary of the covenanters, and no inconsiderable one; a prophetess, who was much followed and admired by all ranks of people. Her name was Michelson, a woman full of whimsies, partly hysterical, partly religious; and inflamed with a zealous concern for the ecclesiastical discipline of the presbyterians. She spoke at certain times only, and had often interruptions of days and weeks: but when she began to renew her ecstasies, warning of the happy event was conveyed over the whole country, thousands crowded about her house, and every word which she uttered was received with veneration, as the most sacred oracles. The covenant was her perpetual theme. The true, genuine covenant, she said, was ratified in heaven: the king's covenant was an invention of Satan: when she spoke of Christ, she usually gave him the name of the covenanting Jesus. Rollo, a popular preacher, and zealous covenanter, was her great favourite; and paid her, on his part, no less veneration. Being desired by the spectators to pray with her, and speak to her, he answered, "That he durst not, and that it would be ill manners in him to speak, while his master, Christ, was speaking in her."³⁸

Charles had agreed to reduce episcopal authority so much, that it would no longer have been of any service to support the crown; and this sacrifice of his own interests he was willing to make, in order to attain public peace and tranquillity. But he could not consent entirely to abolish an order, which he thought as essential to the being of a Christian church, as his Scottish subjects deemed it incompatible with that sacred institution. This narrowness of mind, if we would be impartial, we must either blame, or excuse equally on both sides; and thereby anticipate, by a little reflection, that judgment, which time, by introducing new subjects of controversy, will undoubtedly render quite familiar to posterity.

So great was Charles's aversion to violent and sanguinary measures, and so strong his affection to his native kingdom, that it is probable the contest in his breast would be nearly equal between these laudable passions, and his attachment to the hierarchy. The latter affection, however, prevailed for the time, and made him hasten those military preparations which he had projected for subduing the refractory spirit of the Scottish nation. By regular economy, he had not only paid all the debts contracted during the Spanish and French wars, but had amassed a sum of two hundred thousand pounds, which he reserved for any sudden exigency. The queen had great interest with the catholics, both from the sympathy of religion, and from the favours and indulgences which she had been able to procure to them. She now employed her credit, and persuaded them, that it was reasonable to give large contributions as a mark of their duty to the king, during this urgent necessity.³⁹ A considerable supply was obtained by this means; to the great scandal of the puritans, who were offended at seeing the king on such good terms with the papists, and repined that others should give what they themselves were disposed to refuse him.

Charles's fleet was formidable and well supplied. Having put five thousand land-forces on board, he intrusted it to the marquis of Hamilton, who had orders to sail to the Frith of Forth, and to cause a diversion in the forces of the malcontents. An army was levied of near twenty thousand foot, and above three thousand horse, and was put under the command of the earl of Arundel, a nobleman of great family, but celebrated neither for military nor political abilities. The earl of Essex, a man of strict honour, and extremely popular, especially among the soldiery, was appointed lieutenant-general: the earl of Holland was general of the horse. The king himself joined the army (29th May), and he summoned all the peers of England to attend him. The whole had the appearance of a splendid court, rather than of a military armament; and in this situation, carrying more show than real force with it, the camp arrived at Berwick.⁴⁰

The Scottish army was as numerous as that of the king, but inferior in cavalry. The officers had more reputation and experience; and the soldiers, though undisciplined and ill-armed, were animated as well by the national aversion to England, and the dread of becoming a province to their old enemy, as by an unsurmountable fervour of religion. The pulpits had extremely assisted the officers in levying recruits, and had thundered out anathemas against all those *who went not out to assist the Lord against the mighty*.⁴¹ Yet so prudent were the leaders of the malcontents,

that they immediately sent submissive messages to the king, and craved to be admitted to a treaty.

Charles knew that the force of the covenanters was considerable, their spirits high, their zeal furious; and that, as they were not yet daunted by any ill success, no reasonable terms could be expected from them. With regard therefore to a treaty, great difficulties occurred on both sides. Should he submit to the pretensions of the malcontents, besides that the prelacy must be sacrificed to their religious prejudices, such a check would be given to royal authority, which had, very lately, and with much difficulty, been thoroughly established in Scotland that he must expect ever after to retain in that kingdom no more than the appearance of majesty. The great men, having proved, by so sensible a trial, the impotence of law and prerogative, would return to their former licentiousness: the preachers would retain their innate arrogance: and the people, unprotected by justice, would recognize no other authority than that which they found to domineer over them. England also, it was much to be feared, would imitate so bad an example; and having already a strong propensity towards republican and puritanical factions, would expect, by the same seditious practices, to attain the same indulgence. To advance so far, without bringing the rebels to a total submission, at least to reasonable concessions, was to promise them, in all future time, an impunity for rebellion.

On the other hand, Charles considered that Scotland was never before, under any of his ancestors, so united, and so animated in its own defence; yet had often been able to foil or elude the force of England, combined heartily in one cause, and enured by long practice to the use of arms. How much greater difficulty should he find at present, to subdue, by violence, a people inflamed with religious prejudices; while he could only oppose to them a nation enervated by long peace, and lukewarm in his service; or, what was more to be dreaded, many of them engaged in the same party with the rebels.¹² Should the war be only protracted beyond a campaign, (and who could expect to finish it in that period?) his treasures would fail him; and for supply, he must have recourse to an English parliament, which by fatal experience he had ever found more ready to encroach on the prerogatives, than to supply the necessities of the crown. And what if he receive a defeat from the rebel army? This misfortune was far from being impossible. They were engaged in a national cause, and strongly actuated by mistaken principles. His army was retained entirely by pay, and looked on the quarrel with the same indifference which naturally belongs to mercenary troops, without possessing the discipline

by which such troops are commonly distinguished. And the consequences of a defeat, while Scotland was enraged and England discontented, were so dreadful, that no motive should persuade him to hazard it.

It is evident that Charles had fallen into such a situation that, whichever side he embraced, his errors must be dangerous: no wonder, therefore, he was in great perplexity.¹³ But he did worse than embrace the worst side: for, properly speaking, he embraced no side at all. He concluded a sudden pacification, in which it was stipulated, that he should withdraw his fleet and army; that within eight and forty hours the Scots should dismiss their forces; that the king's forts should be restored to him; his authority be acknowledged; and a general assembly and a parliament be immediately summoned, in order to compose all differences. What were the *reasons* which engaged the king to admit such strange articles of peace, it is in vain to inquire: for there scarcely could be any. The *causes* of that event may admit of a more easy explication.

The malcontents had been very industrious in representing to the English the grievances under which Scotland laboured, and the ill counsels which had been suggested to their sovereign. Their liberties, they said, were invaded: the prerogatives of the crown extended beyond all former precedent: illegal courts erected: the hierarchy exalted at the expence of national privileges: and so many new superstitions introduced by the haughty tyrannical prelates, as begat a just suspicion that a project was seriously formed for the restoration of popery. The king's conduct, surely, in Scotland, had been in every thing, except in establishing the ecclesiastical canons, more legal than in England; yet was there such a general resemblance in the complaints of both kingdoms, that the English readily assented to all the representations of the Scottish malcontents, and believed that nation to have been driven by oppression into the violent counsels which they had embraced. So far, therefore, from being willing to second the king in subduing the free spirits of the Scots; they rather pitied that unhappy people, who had been pushed to those extremities: and they thought that the example of such neighbours, as well as their assistance, might some time be advantageous to England, and encourage her to recover, by a vigorous effort, her violated laws and liberties. The gentry and nobility, who without attachment to the court, without command in the army, attended in great numbers the English camp, greedily seized, and propagated, and gave authority to these sentiments: a retreat, very little honourable, which the earl of Holland, with a considerable detachment of the English forces, had made before a detachment of the Scottish, caused

all these humours to blaze up at once: and the king, whose character was not sufficiently vigorous or decisive, and who was apt, from facility, to embrace hasty counsels, suddenly assented to a measure which was recommended by all about him, and which favoured his natural propension towards the misguided subjects of his native kingdom.¹¹

Charles, having so far advanced in pacific measures, ought with a steady resolution to have prosecuted them, and have submitted to every tolerable condition demanded by the assembly and parliament; nor should he have recommenced hostilities, but on account of such enormous and unexpected pretensions as would have justified his cause, if possible, to the whole English nation. So far, indeed, he adopted this plan, that he agreed not only to confirm his former concessions, of abrogating the canon of the liturgy, the high communion, and the articles¹² of Perth; but also to abolish the order itself of bishops, for which he had so zealously contended.¹³ But this concession was gained by the utmost violence which he could impose on his disposition and prejudices: he even secretly retained an intention of seizing favourable opportunities, in order to recover the ground which he had lost.¹⁴ And one step farther he could not prevail with himself to advance. The assembly, when it met, paid no deference to the king's prepossessions, but gave full indulgence to their own. They voted episcopacy to be unlawful in the church of Scotland (17th Aug.): he was willing to allow it contrary to the constitutions of the church. They stigmatised the liturgy and canons as popish: he agreed simply to abolish them. They denominated the high communion, tyranny: he was content to set it aside.¹⁵ The parliament, which sat after the assembly, advanced pretensions which tended to diminish the civil power of the monarch; and, what probably affected Charles still more, they were proceeding to ratify the acts of assembly, when, by the king's instructions,¹⁶ Traquair, the commissioner, prorogued them. And on account of these claims, which might have been foreseen, was the war renewed with great advantages on the side of the covenanters, and disadvantages on that of the king.

No sooner had Charles concluded the pacification without conditions, than the necessity of his affairs and his want of money obliged him to disband his army; and as the soldiers had been held together solely by mercenary views, it was not possible without great trouble, and expence, and loss of time, again to assemble them. The more prudent covenanters had concluded, that their pretensions being so contrary to the interests, and still more to the inclinations of the king, it was likely that they should again be obliged to support their cause by arms; and they were therefore careful in

dismissing their troops, to preserve nothing but the appearance of a pacific disposition. The officers had orders to be ready on the first summons: the soldiers were warned not to think the nation secure from an English invasion: and the religious zeal which animated all ranks of men, made them immediately fly to their standards as soon as the trumpet was sounded by their spiritual and temporal leaders. The credit which in their last expedition they had acquired, by obliging their sovereign to depart from all his pretensions, gave courage to every one in undertaking this new enterprise.¹⁷

1640. The king, with great difficulty, found means to draw together an army (13th April); but soon discovered, that all savings being gone, and great debts contracted, his revenue would be insufficient to support them. An English parliament, therefore, formerly so unkind and intractable, must now, after above eleven years intermission, after the king had tried many irregular methods of taxation, after multiplied disgusts given to the puritanical party, be summoned to assemble, amidst the most pressing necessities of the crown.

As the king resolved to try, whether this house of commons would be more compliant than their predecessors, and grant him supply on any reasonable terms; the time appointed for the meeting of parliament was late, and very near the time allotted for opening the campaign against the Scots. After the past experience of their ill-humour, and of their encroaching disposition, he thought that he could not in prudence trust them with a long session, till he had seen some better proofs of their good intentions: the urgency of the occasion, and the little time allowed for debate, were reasons which he reserved against the malcontents in the house: and an incident had happened, which, he believed, had now furnished him with still more cogent arguments.

The earl of Traquair had intercepted a letter written to the king of France by the Scottish malcontents; and had conveyed this letter to the king. Charles, partly repenting, of the large concessions made to the Scots, partly disgusted at their fresh insolence and pretensions, seized this opportunity of breaking with them. He had thrown into the Tower lord Loudon, commissioner from the covenanters; one of the persons who had signed the treasonable letter.¹⁸ And he now laid the matter before the parliament, whom he hoped to inflame by the resentment, and alarm by the danger of this application to a foreign power. By the month of the lord keeper, Finch, he discovered his wants, and informed them that he had been able to assemble his army, and to subsist them, not by any revenue which he possessed, but by means of a large

left of above three hundred thousand pounds which he had contracted, and for which he had given security upon the crown-lands. He represented, that it was necessary to grant supplies for the immediate and urgent demands of his military armaments: that the season was far advanced, the time precious, and none of it must be lost in deliberation: that though his coffers were empty, they had not been exhausted by unnecessary pomp, or sumptuous buildings, or any other kind of magnificence: that whatever supplies had been levied on his subjects, had been employed for their advantage and preservation, and like vapours rising out of the earth, and gathered into a cloud, had fallen in sweet and refreshing showers on the same fields from which they had at first been exhaled: that though he desired such immediate assistance as might prevent for the time a total disorder in the government, he was far from any intention of precluding them from their right to inquire into the state of the kingdom, and to offer him petitions for the redress of their grievances: that as much as was possible of this season should afterwards be allowed them for that purpose: that as he expected only such supply at present as the current service necessarily required, it would be requisite to assemble them again next winter, when they should have full leisure to conclude whatever business had this session been left imperfect and unfinished: that the parliament of Ireland had twice put such trust upon his good intentions, as to grant him, in the beginning of the session, a large supply, and had ever experienced good effects from the confidence reposed in him: and that, in every circumstance, his people should find his conduct suitable to a just, pious, and gracious king, and such as was calculated to promote an entire harmony between prince and parliament.⁵¹

However plausible these topics, they made small impression on the house of commons. By some illegal, and several suspicious measures of the crown, and by the courageous opposition which particular persons, amidst dangers and hardships, had made to them; the minds of men, throughout the nation, had taken such a turn as to ascribe every honour to the refractory opposers of the king and the ministers. These were the only patriots, the only lovers of their country, the only heroes, and, perhaps too, the only true Christians. A reasonable compliance with the court was slavish dependence; a regard to the king, servile flattery; a confidence in his promises, shameful prostitution. This general cast of thought, which has, more or less, prevailed in England, during near a century and a half, and which has been the cause of much good and much ill in public affairs, never predominated more than during the reign of Charles.

The present house of commons, being entirely composed of country-gentlemen, who came into parliament with all their native prejudices about them, and whom the crown had no means of influencing, could not fail to contain a majority of these stubborn patriots.

Affairs likewise, by means of the Scottish insurrection, and the general discontents in England, were drawn so near to a crisis, that the leaders of the house, sagacious and penetrating, began to foresee the consequences, and to hope, that the time, so long wished for, was now come, when royal authority must fall into a total subordination under popular assemblies, and when public liberty must acquire a full ascendancy. By reducing the crown to necessities, they had hitherto found, that the king had been pushed into violent counsels, which had served extremely the purposes of his adversaries: and by multiplying these necessities, it was foreseen that his prerogative, undermined on all sides, must, at last, be overthrown, and be no longer dangerous to the privileges of the people. Whatever, therefore, tended to compose the differences between king and parliament, and to preserve the government uniformly in its present channel, was zealously opposed by these popular leaders; and their past conduct and sufferings gave them credit sufficient to effect all their purposes.

The house of commons, moved by these and many other obvious reasons, instead of taking notice of the king's complaints against his Scottish subjects, or his application for supply, entered immediately upon grievances; and a speech, which Pym made them on that subject, was much more hearkened to, than that which the lord keeper had delivered to them in the name of their sovereign. The subject of Pym's harangue has been sufficiently explained above; where we gave an account of all the grievances, imaginary in the church, more real in the state, of which the nation, at that time, so loudly complained.⁵² The house began with examining the behaviour of the speaker the last day of the former parliament; when he refused, on account of the king's command, to put the question: and they declared it a breach of privilege. They proceeded next to inquire into the imprisonment and prosecution of sir John Elliot, Hollis, and Valentine:⁵³ the affair of ship-money was canvassed: and plentiful subject of inquiry was suggested on all hands. Grievances were regularly classed under three heads; those with regard to privileges of parliament, to the property of the subject, and to religion.⁵⁴ The king, seeing a large and inexhaustible field opened, pressed them again for supply; and finding his message ineffectual, he came to the house of peers, and desired their good offices with the commons. The peers were sensible of the king's

urgent necessities; and thought that supply, on this occasion, ought, both in reason and in decency, to go before grievances. They ventured to represent their sense of the matter to the commons; but their intercession, did harm. The commons had always claimed, as their peculiar province, the granting of supplies; and, though the peers had here gone no farther than offering advice, the lower house immediately thought proper to vote so unprecedented an interposition to be a breach of privilege.⁵⁵ Charles, in order to bring the matter of supply to some issue, solicited the house by new messages: and finding that ship-money gave great alarm and disgust; besides informing them, that he never intended to make a constant revenue of it, that all the money levied had been regularly, with other great sums, expended on equipping the navy; he now went so far as to offer them a total abolition of that obnoxious claim, by any law which the commons should think proper to present to him. In return, he only asked, for his necessities, a supply of twelve subsidies, about six hundred thousand pounds, and that payable in three years; but, at the same time, he let them know, that, considering the situation of his affairs, a delay would be equivalent to a denial.⁵⁶ The king, though the majority was against him, never had more friends in any house of commons; and the debate was carried on for two days, with great zeal and warmth on both sides.

It was urged by the partisans of the court, that the happiest occasion, which the fondest wishes could suggest, was now presented, for removing all disgusts and jealousies between king and people, and for reconciling their sovereign, for ever, to the use of parliaments. That if they, on their part, laid aside all enormous claims and pretensions, and provided, in a reasonable manner, for the public necessities; they needed entertain no suspicion of any insatiable ambition or illegal usurpation in the crown. That though due regard had not always been paid, during this reign, to the rights of the people, yet no invasion of them had been altogether deliberate and voluntary; much less, the result of wanton tyranny and injustice; and still less, of a formed design to subvert the constitution. That to repose a reasonable confidence in the king, and generously to supply his present wants, which proceeded neither from prodigality nor misconduct, would be the true means of gaining on his generous nature, and extorting, by gentle violence, such concessions as were requisite for the establishment of public liberty. That he had promised, not only on the word of a prince, but also on that of a gentleman (the expression which he had been pleased to use,) that, after the supply was granted, the parliament should still have liberty to continue their deliberations:

could it be suspected, that any man, any prince much less such a one, whose word was, as yet, sacred and inviolate, would, for so small a motive, forfeit his honour, and, with it, all future trust and confidence, by breaking a promise, so public and so solemn? That even, if the parliament should be deceived in reposing this confidence in him, they neither lost any thing, nor incurred any danger; since it was evidently necessary, for the security of public peace, to supply him with money, in order to suppress the Scottish rebellion. That he had so far suited his first demands to their prejudices, that he only asked a supply for a few months, and was willing, after so short a trust from them, to fall again into dependence, and to trust them for his farther support and subsistence. That if he now seemed to desire something farther, he also made them, in return, a considerable offer, and was willing, for the future, to depend on them for a revenue, which was quite necessary for public honour and security. That the nature of the English constitution supposed a mutual confidence between king and parliament: and if they should refuse it on their part, especially with circumstances of such outrage and indignity; what could be expected but a total dissolution of government, and violent factions, followed by the most dangerous convulsions and intestine disorders?

In opposition to these arguments, it was urged by the malcontent party, that the court had discovered, on their part, but few symptoms of that mutual confidence to which they now so kindly invited the commons. That eleven years intermission of parliaments, the longest that was to be found in the English annals, was a sufficient indication of the jealousy entertained against the people; or rather of designs formed for the suppression of all their liberties and privileges. That the ministers might well plead necessity, nor could any thing, indeed, be a stronger proof of some invincible necessity, than their embracing a measure, for which they had conceived so violent an aversion, as the assembling of an English parliament. That this necessity, however, was purely ministerial, not national: and if the same grievances, ecclesiastical and civil, under which this nation itself laboured, had pushed the Scots to extremities; was it requisite that the English should forge their own chains, by imposing chains on their unhappy neighbours? That the ancient practice of parliament was to give grievances the precedence of supply; and this order, so carefully observed by their ancestors, was founded on a jealousy inherent in the constitution, and was never interpreted as any peculiar diffidence of the present sovereign. That a practice, which had been upheld, during times the most favourable to liberty, could not, in common

prudence, he departed from, where such undeniable reasons for suspicion had been afforded. That it was ridiculous to plead the advanced season, and the urgent occasion for supply; when it plainly appeared, that, in order to afford a pretence for this topic, and to seduce the commons, great political contrivance had been employed. That the writs for elections were issued early in the winter; and if the meeting of parliament had not purposely been delayed till so near the commencement of military operations, there had been leisure sufficient to have redressed all national grievances, and to have proceeded afterwards to an examination of the king's occasion for supply. That the intention of so gross an artifice was to engage the commons, under pretence of necessity, to violate the regular order of parliament; and a precedent of that kind being once established, no inquiry into public measures would afterwards be permitted: that scarcely any argument more unfavourable could be pleaded for supply, than an offer to abolish ship-money; a taxation the most illegal, and the most dangerous, that had ever, in any reign, been imposed upon the nation: and that, by bargaining for the remission of that duty, the commons would, in a manner, ratify the authority by which it had been levied; at least, give encouragement for advancing new pretensions of a like nature, in hopes of resigning them on like advantageous conditions.

These reasons, joined to so many occasions of ill humour, seemed to sway with the greater number: but, to make the matter worse, sir Harry Vane, the secretary, told the commons, without any authority from the king, that nothing less than twelve subsidies would be accepted as a compensation for the abolition of ship-money. This assertion, proceeding from the indiscretion, if we are not rather to call it the treachery, of Vane, displeased the house, by showing a stiffness and rigidity in the king, which, in a claim so ill grounded, was deemed inexcusable.⁵⁷ We are informed likewise, that some men, who were thought to understand the state of the nation, affirmed in the house, that the amount of twelve subsidies was a greater sum than could be found in all England. Such were the happy ignorance and inexperience of those times, with regard to taxes!⁵⁸

The king was in great doubt and perplexity. He saw, that his friends in the house were outnumbered by his enemies, and that the same counsels were still prevalent, which had ever bred such opposition and disturbance. Instead of hoping that any supply would be granted him, to carry on war against the Scots, whom the majority of the house regarded as their best friends and firmest allies; he expected every day, that they would present

him an address for making peace with those rebels. And if the house met again, a vote, he was informed, would certainly pass, to blast his revenue of ship-money; and thereby renew all the opposition, which, with so much difficulty, he had surmounted, in levying that taxation. Where great evils lie on all sides, it is difficult to follow the best counsel; nor is it any wonder, that the king, whose capacity was not equal to situations of such extreme delicacy, should have formed and executed the resolution of dissolving this parliament: a measure, however, of which he soon after repented, and which the subsequent events, more than any convincing reason, inclined every one to condemn. The last parliament, which ended with such rigour and violence, had yet, at first, covered their intentions with greater appearance of moderation than this parliament had hitherto assumed.

An abrupt and violent dissolution naturally excites discontents among the people, who usually put entire confidence in their representatives, and expect from them the redress of all grievances. As if there were not already sufficient grounds of complaint, the king persevered still in those counsels, which, from experience, he might have been sensible were so dangerous and unpopular. Bellasis and sir John Hotham were summoned before the council; and refusing to give any account of their conduct in parliament, were committed to prison. All the petitions and complaints, which had been sent to the committee of religion, were demanded from Crew, chairman of that committee, and on his refusal to deliver them, he was sent to the Tower. The studies, and even the pockets, of the earl of Warwic and lord Broke, before the expiration of privilege, were searched, in expectation of finding treasonable papers. These acts of authority were interpreted, with some appearance of reason, to be invasions on the right of national assemblies.⁵⁹ But the king, after the first provocation which he met with, never sufficiently respected the privileges of parliament; and, by his example, he farther confirmed their resolution, when they should acquire power, to pay like disregard to the prerogatives of the crown.

Though the parliament was dissolved, the convocation was still allowed to sit; a practice of which, since the reformation, there were but few instances,⁶⁰ and which was for that reason supposed by many to be irregular. Besides granting to the king a supply from the spirituality, and framing many canons, the convocation, jealous of like innovations with those which had taken place in Scotland, imposed an oath on the clergy, and the graduates in the universities, by which every one swore to maintain the established government of the church by archbishops, bishops, deans, chapters, &c.⁶¹ These steps, in the present

discontented humour of the nation, were commonly deemed illegal; because not ratified by consent of parliament, in whom all authority was now supposed to be centered. And nothing, besides, could afford more subject of ridicule, than an oath, which contained an *et cetera* in the midst of it.

DISCONTENTS IN ENGLAND.

THE people, who generally abhorred the convocation as much as they revered the parliament, could scarcely be restrained from insulting and abusing this assembly; and the king was obliged to give them guards, in order to protect them.⁶² An attack too was made during the night upon Land, in his palace of Lambeth, by above five hundred persons; and he found it necessary to fortify himself for his defence.⁶³ A multitude, consisting of two thousand sectaries, entered St. Paul's, where the high commission then sat; tore down the benches; and cried out, *No bishop, no high commission*.⁶⁴ All these instances of discontent were pre-ages of some great revolution; had the court possessed sufficient skill to discern the danger, or sufficient power to provide against it.

In this disposition of men's minds, it was in vain that the king issued a declaration, in order to convince his people of the necessity, which he lay under, of dissolving the last parliament.⁶⁵ The chief topic, on which he insisted, was, that the commons imitated the bad example of all their predecessors of late years, in making continual encroachments on his authority, in censuring his whole administration and conduct, in discussing every circumstance of public government, and in their indirect bargaining and contracting with their king for supply; as if nothing ought to be given him but what he should purchase, either by quitting somewhat of his royal prerogative, or by diminishing and lessening his standing revenue. These practices, he said, were contrary to the maxims of their ancestors; and these practices were totally incompatible with monarchy. [*See note [A], at the end of this Vol.*]

The king, disappointed of parliamentary subsidies, was obliged to have recourse to other expedients, in order to supply his urgent necessities. The ecclesiastical subsidies served him in some stead; and it seemed but just, that the clergy should contribute to a war, which was in a great measure of their own raising.⁶⁶ He borrowed money from his ministers and courtiers; and so much was he beloved among them, that above three hundred thousand pounds were subscribed in a few days: though nothing surely could be more disagreeable to a prince, full of dignity, than to be a burthen on his friends, instead of being a support to them. Some attempts were

made towards forcing a loan from the citizens; but still repelled by the spirit of liberty, which was now become unconquerable.⁶⁷ A loan of forty thousand pounds was extorted from the Spanish merchants, who had bullion in the Tower, exposed to the attempts of the king. Coat and conduct-money for the soldiery was levied on the counties; an ancient practice,⁶⁸ but supposed to be abolished by the petition of right. All the pepper was bought from the East-India Company upon trust, and sold, at a great discount, for ready money.⁶⁹ A scheme was proposed for coining two or three hundred thousand pounds of base money.⁷⁰ Such were the extremities to which Charles was reduced. The fresh difficulties which, amidst the present distresses, were every day raised, with regard to the payment of ship-money, obliged him to exert continual acts of authority, augmented the discontents of the people, and increased his indigence and necessities.⁷¹

The present expedients, however, enabled the king, though with great difficulty, to march his army, consisting of nineteen thousand foot, and two thousand horse.⁷² The earl of Northumberland was appointed general: the earl of Strafford, who was called over from Ireland, lieutenant-general: lord Conway, general of the horse. A small fleet was thought sufficient to serve the purposes of this expedition.

ROUT AT NEWBURN. Aug. 28.

So great are the effects of zeal and unanimity, that the Scottish army, though somewhat superior, were sooner ready than the king's; and they marched to the borders of England. To engage them to proceed, besides their general knowledge of the secret discontents of that kingdom, lord Saville had forged a letter, in the name of six noblemen, the most considerable of England, by which the Scots were invited to assist their neighbours, in procuring a redress of grievances.⁷³ Notwithstanding these warlike preparations and hostile attempts, the covenanters still preserved the most pathetic and most submissive language; and entered England, they said, with no other view, than to obtain access to the king's presence, and lay their humble petition at his royal feet. At Newburn upon Tyne, they were opposed by a detachment of four thousand five hundred men under Conway, who seemed resolute to dispute with them the passage of the river. The Scots first intreated them, with great civility, not to stop them in their march to their gracious sovereign; and then attacked them with great bravery, killed several, and chased the rest from their ground. Such a panic seized the whole English army, that the forces at Newcastle fled immediately to Durham; and not yet thinking themselves

safe, they deserted that town, and retreated into Yorkshire.⁷⁴

The Scots took possession of Newcastle; and though sufficiently elated with their victory, they preserved exact discipline, and persevered in their resolution of paying for every thing, in order still to maintain the appearance of an amicable correspondence with England. They also dispatched messengers to the king, who was arrived at York; and they took care, after the advantage which they had obtained, to redouble their expressions of loyalty, duty, and submission to his person, and they even made apologies, full of sorrow and contrition, for their late victory.⁷⁵

Charles was in a very distressed condition. The nation was universally and highly discontented. The army was discouraged, and began likewise to be discontented, both from the contagion of general disgust, and as an excuse for their misbehaviour, which they were desirous of representing rather as want of will than of courage to fight. The treasury too was quite exhausted, and every expedient for supply had been tried to the uttermost. No event had happened, but what might have been foreseen as necessary, at least as very probable; yet such was the king's situation, that no provision could be made, nor was even any resolution taken against such an exigency.

TREATY AT RIPPON.

In order to prevent the advance of the Scots upon him, the king agreed to a treaty, and named sixteen English noblemen, who met with eleven Scottish commissioners at Rippon. The earls of Hertford, Bedford, Salisbury, Warwick, Essex, Holland, Bristol, and Berkshire, the lords Kimbolton, Wharton, Dunsmore, Paget, Broke, Saville, Paulet, and Howard of Escric, were chosen by the king; all of them popular men, and consequently supposed nowise averse to the Scottish invasion, or unacceptable to that nation.⁷⁶

An address arrived from the city of London, petitioning for a parliament; the great point to which all men's projects at this time tended.⁷⁷ Twelve noblemen presented a petition to the same purpose.⁷⁸ But the king contented himself with summoning a great council of the peers at York; a measure which had formerly been taken in cases of sudden emergency, but which, at present, could serve to little purpose. Perhaps the king, who dreaded above all things the house of commons, and who expected no supply from them on any reasonable terms, thought that in his present distresses he might be enabled to levy supplies by the authority of the peers alone. But the employing so long the plea of a necessity which appeared distant and doubtful, rendered

it impossible for him to avail himself of a necessity which was now at last become real, urgent, and inevitable.

By Northumberland's sickness the command of the army had devolved on Strafford. This nobleman possessed more vigour of mind than the king or any of the council. He advised Charles rather to put all to hazard, than submit to such unworthy terms as were likely to be imposed upon him. The loss sustained at Newburn, he said, was inconsiderable; and though a panic had for the time seized the army, that event was nothing strange among new levied troops; and the Scots being in the same condition, would, no doubt, be liable, in their turn, to a like accident. His opinion therefore was, that the king should push forward, and attack the Scots, and bring the affair to a quick decision; and if he were so unsuccessful, nothing worse could befall him, than what, from his inactivity, he would certainly be exposed to.⁷⁹ To show how easy it would be to execute this project, he ordered an assault to be made on some quarters of the Scots, and he gained an advantage over them. No cessation of arms had as yet been agreed to during the treaty at Rippon; yet great clamour prevailed, on account of this act of hostility. And when it was known that the officer who conducted the attack was a papist, a violent outcry was raised against the king, for employing that hated sect in the murder of his protestant subjects.⁸⁰

It may be worthy of remark, that several mutinies had arisen among the English troops, when marching to join the army; and some officers had been murdered, merely on suspicion of their being papists.⁸¹ The petition of right had abolished all martial law; and by an inconvenience which naturally attended the plan, as yet new and unformed, of regular and rigid liberty, it was found absolutely impossible for the generals to govern the army, by all the authority which the king could legally confer upon them. The lawyers had declared, that martial law could not be exercised, except in the very presence of an enemy; and because it had been found necessary to execute a mutineer, the generals thought it advisable, for their own safety, to apply for a pardon from the crown. This weakness, however, was carefully concealed from the army; and lord Conway said, that if any lawyer were so imprudent as to discover the secret to the soldiers, it would be necessary instantly to refute him, and to hang the lawyer himself, by sentence of a court-martial.⁸²

An army new levied, undisciplined, frightened, seditious, ill-paid, and governed by no proper authority, was very unfit for withstanding a victorious and high-spirited enemy, and retaining in subjection a discontented and zealous nation.

GREAT COUNCIL OF THE PEERS. *Sept. 24.*

CHARLES, in despair of being able to stem the torrent, at last determined to yield to it: and as he foresaw that the great council of the peers would advise him to call a parliament, he told them in his first speech, that he had already taken this resolution. He informed them likewise, that the queen, in a letter which she had written to him, had very earnestly recommended that measure. This good prince, who was extremely attached to his consort, and who passionately wished to render her popular in the nation, forgot not, amidst all his distress, the interests of his domestic tenderness.⁸³

In order to subsist both armies (for the

king was obliged, in order to save the northern counties, to pay his enemies) Charles wrote to the city, desiring a loan of two hundred thousand pounds. And the peers at York, whose authority was now much greater than that of their sovereign, joined in the same request.⁸⁴ So low was this prince already fallen in the eyes of his own subjects!

As many difficulties occurred in the negotiation with the Scots, it was proposed to transfer the treaty from Rippon to London: a proposal willingly embraced by that nation, who were now sure of treating with advantage, in a place where the king, they foresaw, would be in a manner a prisoner, in the midst of his implacable enemies, and their determined friends.⁸⁵

NOTES.

- 1 Clarendon, i. p. 71, 72. May, p. 15.
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2 Rushworth, i. ii. p. 3-6. May,

- 3 Guthrie's Memoirs, p. 11. Burnet's
Memoirs, p. 294.

- 4 King's Declaration, p. 7. Franklyn,

- 5 King's Declaration, p. 6.

- 6 Burnet's Memoirs, p. 29, 30.

- 7 May, p. 29.

- 8 Burnet's Memoirs, p. 29, 30, 31.

- 9 Clarendon, vol. i. p. 106.

- 10 Clarendon, vol. i. p. 105.

- 11 King's Declaration, p. 18. May,

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- 12 King's Declaration, p. 20.

- 13 Burnet's Memoirs, p. 31. Rushworth,

- vol. ii. p. 996. May, p. 31.

- 14 King's Declaration, p. 22. Clarendon,

- vol. i. p. 105. Rushworth, vol. ii.

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- 15 King's Declaration, p. 23, 24, 25.

- Rushworth, vol. ii. p. 388.

- 16 King's Declaration, p. 26, 30. Clarendon,

- vol. i. p. 104.

- 17 King's Declaration, p. 32. Rushworth,

- vol. i. p. 406.

- 18 King's Declaration, p. 35, 36, &c.

- Rushworth, vol. ii. p. 404.

- 19 King's Declaration, p. 31.

- 20 King's Declaration, p. 47, 48, &c.

- Guthrie, p. 28. May, p. 37.

- 21 Clarendon, vol. i. p. 111. Rushworth,

- vol. ii. p. 734.

- 22 King's Declaration, p. 57, 58. Rush-

- worth, vol. ii. p. 734. May, p. 38.

- 23 Rushworth, vol. ii. p. 754, &c.

- 24 King's Declaration, p. 87.

- 25 King's Declaration, p. 88. Rushworth,

- vol. ii. p. 751.

- 26 King's Declaration, p. 137. Rushworth,

- vol. ii. p. 762.

- 27 King's Declaration, p. 140, &c.

- 1 Rushworth, vol. ii. p. 772.
2 King's Declaration, p. 188, 189. Rush-

posed of the clergy
neighbouring parishes to the
of between twelve

- King's Declaration, p. 190, 191, 290.

- Guthrie, p. 39, &c.

- King's Declaration, p. 218. Rush-

- worth, vol. ii. p. 787.

- May, p. 44.

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- Memoirs d'Etat, vol. i.

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- Guthrie's Memoirs, p. 46.

- King's Declaration, at large, p. 227.

- Burnet's Memoirs of Hamilton.

- Rushworth, vol. iii. p. 1329. Frank-

- lyn, p. 767.

- Clarendon, vol. i. p. 115, 116, 117.

- Burnet's Memoirs of Hamilton.

- Rushworth, vol. iii. p. 936.

- Rushworth, vol. iii. p. 945.

- Clarendon, vol. i. p. 122, 123. May,

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- Rushworth, vol. iii. p. 946.

- Burnet's Memoirs, p. 154. Rushworth,

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- Rushworth, vol. iii. p. 955.

- Clarendon, vol. i. p. 125. Rushworth,

- vol. iii. p. 1023.

- Clarendon, vol. i. p. 129. Rushworth,

- vol. iii. p. 956. May, p. 56.

- Rushworth, vol. iii. p. 1114.

- Clarendon, vol. i. p. 173. Rushworth,

- vol. iii. p. 1131. May, p. 60.

- Rushworth, vol. iii. p. 1136.

- Rushworth, vol. iii. p. 1147.

- Clarendon, vol. i. p. 134.

- 1 Clarendon, vol. i. p. 172.
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- Clarendon, vol. i. p. 11

- p. 13

- 1 Rushworth, vol. ii. p. 116. May,

- p. 116.

- There was one in 186. See Hist. of

- archbishop Land, p. 80. The authority

- of the convention was indeed, in most

- respects, independent of the parliament,

- and there was no reason, which required

- the one to be dissolved upon the dis-

- solution of the other

- Whitlocke, p. 35.

- Whitlocke, p. 37.

- Dugdale, p. 42. Clarendon, vol. i.

- p. 143.

- Dugdale, p. 65.

- Rushworth, vol. iii. p. 1106

- May, p. 18.

- Rushworth, vol. iii. p. 1180

- Rushworth, vol. i. p. 1063

- May, p. 75.

- Rushworth, vol. iii. p. 1216. M. p. 63

- Rushworth, vol. iii. p. 1173

- 1184, 1190, 1200, 1203, 1204

- Rushworth, vol. iii. p. 1275

- Nelson, vol. ii. p. 427.

- Clarendon, vol. i. p. 149

- Rushworth, vol. iii. p. 1255

- Clarendon, vol. i. p. 155.

- Rushworth, vol. iii. p. 1263.

- Clarendon, vol. i. p. 146. Rushworth

- vol. iii. p. 1260. May, p. 66. War

- wick, p. 151.

- Nelson, vol. ii. p. 5.

- Clarendon, vol. i. p. 159.

- Rushworth, vol. iii. p. 1180, 1181

- 1192, &c. May, p. 64.

- Rushworth, vol. iii. p. 1199.

- Clarendon, vol. i. p. 154. Rushworth,

- vol. iii. p. 1275.

- Rushworth, vol. iii. p. 1279

- Rushworth, vol. iii. p. 1305

CHAPTER LIV.

Meeting of the Long Parliament.—Strafford and Laud impeached.—Finch and Widdbank fly.—Great Authority of the Commons.—The Bishops attacked.—Tonnage and Poundage.—Triennial Bill.—Strafford's Trial.—Bill of Attainder.—Execution of Strafford.—High Commission and Star-Chamber abolished.—King's Journey to Scotland.

THE causes of disgust which, for above thirty years, had been daily multiplying in England, were now come to full maturity, and threatened the kingdom with some great revolution or convulsion. The uncertain and undefined limits of prerogative and privilege had been eagerly disputed during that whole period; and in every controversy between prince and people, the question, however doubtful, had always been decided by each party in favour of its own pretensions. Too lightly, perhaps, moved by the appearance of necessity, the king had even assumed powers incompatible with the principles of limited government, and had rendered it impossible for his most zealous partisans entirely to justify his conduct, except by topics so unpopular, that they were more fitted, in the present disposition of men's minds, to inflame, than appease, the general discontent. Those great supports of public authority, law and religion, had likewise, by the unbounded compliance of judges and prelates, lost much of their influence over the people; or rather had in a great measure gone over to the side of faction, and authorised the spirit of opposition and rebellion. The nobility, also, whom the king had no means of retaining by offices and preferments suitable to their rank, had been seized with the general discontent, and unwarily throw themselves into the scale which already began too much to preponderate. Sensible of some encroachments which had been made by royal authority, men entertained no jealousy of the commons, whose enterprises for the acquisition of power had ever been covered with the appearance of public good, and had hitherto gone no farther than some disappointed efforts and endeavours. The progress of the Scottish malcontents reduced the crown to an entire dependence for supply: their union with the popular party in England brought great accession of authority to the latter: the near prospect of success roused all latent murmurs and pretensions which had hitherto been held in such violent constraint; and the torrent of general inclination and opinion ran so strongly against the court, that the king was in no situation to refuse any reasonable demands of the popular leaders, either for defining or limiting the powers of his prerogative. Even

many exorbitant claims, in his present situation, would probably be made, and must necessarily be complied with.

The triumph of the malcontents over the church was not yet so immediate or certain. Though the political and religious puritans mutually lent assistance to each other, there were many who joined the former, yet declined all connexion with the latter. The hierarchy had been established in England ever since the reformation: the Romish church, in all ages, had carefully maintained that form of ecclesiastical government: the ancient fathers too bore testimony to episcopal jurisdiction: and though parity may seem at first to have had place among Christian pastors, the period during which it prevailed was so short, that few undisputed traces of it remained in history. The bishops and their more zealous partisans inferred thence the divine indefeasible right of prelacy: others regarded that institution as venerable and useful: and if the love of novelty led some to adopt the new rites and discipline of the puritans, the reverence to antiquity retained many in their attachment to the liturgy and government of the church. It behoved, therefore, the zealous innovators in parliament to proceed with some caution and reserve. By promoting all measures which reduced the powers of the crown, they hoped to disarm the king, whom they justly regarded, from principle, inclination, and policy, to be the determined patron of the hierarchy. By declaiming against the supposed encroachments and tyranny of the prelates, they endeavoured to carry the nation from a hatred of their persons, to an opposition against their office and character. And when men were enlisted in party, it would not be difficult, they thought, to lead them by degrees into many measures, for which they formerly entertained the greatest aversion. Though the new sectaries composed not, at first, the majority of the nation, they were inflamed, as is usual among innovators, with extreme zeal for their opinions. Their unsurmountable passion, disguised to themselves, as well as to others, under the appearance of holy fervours, was well qualified to make proselytes, and to seize the minds of the ignorant multitude. And one furious enthusiast was able, by his active industry, to surmount the

indolent efforts of many sober and reasonable antagonists.

When the nation, therefore, was so generally discontented, and little suspicion was entertained of any design to subvert the church and monarchy; no wonder that almost all elections ran in favour of those who, by their high pretensions to piety and patriotism, had encouraged the national prejudices. It is a usual compliment to regard the king's inclination in the choice of a speaker; and Charles had intended to advance Gardiner, recorder of London, to that important trust: but so little interest did the crown at that time possess in the nation, that Gardiner was disappointed of his election, not only in London, but in every other place where it was attempted: and the king was obliged to make the choice of speaker fall on Lenthall, a lawyer of some character, but not sufficiently qualified for so high and difficult an office.¹

MEETING OF THE LONG PARLIAMENT.

Nov. 3.

THE eager expectations of men with regard to a parliament, summoned at so critical a juncture, and during such general discontents; a parliament which, from the situation of public affairs, could not be abruptly dissolved, and which was to execute every thing left unfinished by former parliaments; these motives, so important and interesting, engaged the attendance of all the members; and the house of commons was never observed to be, from the beginning, so full and numerous. Without any interval, therefore, they entered upon business, and, by unanimous consent, they immediately struck a blow which may in a manner be regarded as decisive.

The earl of Strafford was considered as chief minister, both on account of the credit which he possessed with his master, and of his own great and uncommon vigour and capacity. By a concurrence of accidents, this man laboured under the severe hatred of all the three nations which composed the British monarchy. The Scots, whose authority now ran extremely high, looked on him as the capital enemy of their country, and one whose counsels and influence they had most reason to apprehend. He had engaged the parliament of Ireland to advance large subsidies, in order to support a war against them: he had levied an army of nine thousand men with which he had menaced all their western coast: he had obliged the Scots, who lived under his government, to renounce the covenant, their national idol: he had, in Ireland, proclaimed the Scottish covenanters rebels and traitors, even before the king had issued any such declaration against them in England: and he had ever dissuaded his master against the late treaty

and suspension of arms, which he regarded as dangerous and dishonourable. So avowed and violent were the Scots in their resentment of all these measures, that they had refused to send commissioners to treat at York, as was at first proposed; because, they said, the lieutenant of Ireland, their capital enemy, being general of the king's forces, had there the chief command and authority.

Strafford, first as deputy, then as lord lieutenant, had governed Ireland during eight years with great vigilance, activity, and prudence, but with very little popularity. In a nation so averse to the English government and religion, these very virtues were sufficient to draw on him the public hatred. The manners too and character of this great man, though to all full of courtesy, and to his friends full of affection, were, at bottom, haughty, rigid, and severe. His authority and influence, during the time of his government, had been unlimited; but no sooner did adversity seize him, than the concealed aversion of the nation blazed up at once, and the Irish parliament used every expedient to aggravate the charge against him.

The universal discontent which prevailed in England against the court, was all pointed towards the earl of Strafford; though without any particular reason, but because he was the minister of state whom the king most favoured and most trusted. His extraction was honourable, his paternal fortune considerable: yet envy attended his sudden and great elevation. And his former associates in popular counsels, finding that he owed his advancement to the desertion of their cause, represented him as the great apostate of the commonwealth, whom it behoved them to sacrifice as a victim to public justice.

Strafford, sensible of the load of popular prejudices under which he laboured, would gladly have declined attendance in parliament; and he begged the king's permission to withdraw himself to his government of Ireland, at least to remain at the head of the army in Yorkshire; where many opportunities, he hoped, would offer, by reason of his distance, to elude the attacks of his enemies. But Charles, who had entire confidence in the earl's capacity, thought that his counsels would be extremely useful during the critical session which approached. And when Strafford still insisted on the danger of his appearing amidst so many enraged enemies, the king, little apprehensive that his own authority was so suddenly to expire, promised him protection, and assured him, that not a hair of his head should be touched by the parliament.²

STRAFFORD IMPEACHED. *Nov. 11.*

No sooner was Strafford's arrival known, than a concerted attack was made upon him

in the house of commons. Pym, in a long, studied discourse, divided into many heads after his manner, enumerated all the grievances under which the nation laboured; and, from a complication of such oppressions, inferred, that a deliberate plan had been formed of changing entirely the frame of government, and subverting the ancient laws and liberties of the kingdom.³ Could any thing, he said, increase our indignation against so enormous and criminal a project, it would be to find, that, during the reign of the best of princes, the constitution had been endangered by the worst of ministers, and that the virtues of the king had been seduced by wicked and pernicious counsel. We must inquire, added he, from what fountain these waters of bitterness flow; and though doubtless many evil counsellors will be found to have contributed their endeavours, yet is there one who challenges the infamous pre-eminence, and who, by his courage, enterprise, and capacity, is entitled to the first place among these betrayers of their country. *He* is the earl of Strafford, lieutenant of Ireland, and president of the council of York, who in both places, and in all other provinces where he has been intrusted with authority, has raised ample monuments of tyranny, and will appear, from a survey of his actions, to be the chief promoter of every arbitrary council. Some instances of imperious expressions, as well as actions, were given by Pym; who afterwards entered into a more personal attack of that minister, and endeavoured to expose his whole character and manners. The austere genius of Strafford, occupied in the pursuits of ambition, had not rendered his breast altogether inaccessible to the tender passions, or secured him from the dominion of the fair; and in that sullen age, when the irregularities of pleasure were more reproachful than the most odious crimes, these weaknesses were thought worthy of being mentioned, together with his treasons, before so great an assembly. And, upon the whole, the orator concluded, that it belonged to the house to provide a remedy proportionable to the disease, and to prevent the farther mischiefs justly to be apprehended from the influence which this man had acquired over the measures and counsels of their sovereign.⁴

Sir John Clotworthy, an Irish gentleman, sir John Hotham of Yorkshire, and many others, entered into the same topics: and, after several hours spent in bitter invective, when the doors were locked in order to prevent all discovery of their purpose; it was moved in consequence of the resolution secretly taken, that Strafford should immediately be impeached of high treason. This motion was received with universal approbation; nor was there, in all the debate, one person that offered to stop the torrent by any testimony

in favour of the earl's conduct. Lord Falkland alone, though known to be his enemy, modestly desired the house to consider whether it would not better suit the gravity of their proceedings, first to digest by a committee many of those particulars which had been mentioned, before they sent up an accusation against him. It was ingeniously answered by Pym, that such a delay might probably blast all their hopes, and put it out of their power to proceed any farther in the prosecution: that when Strafford should learn, that so many of his enormities were discovered, his conscience would dictate his condemnation; and so great was his power and credit, he would immediately procure the dissolution of the parliament, or attempt some other desperate measure for his own preservation: that the commons were ly accusers, not judges; and it was the province of the peers to determine, whether such a complication of enormous crimes, in one person, did not amount to the highest crime known by the law.⁵ Without farther debate, the impeachment was voted: Pym was chosen to carry it up to the lords: most of the house accompanied him on so agreeable an errand: and Strafford, who had just entered the house of peers, and who little expected so speedy a prosecution, was immediately, upon this general charge, ordered into custody, with several symptoms of violent prejudice in his judges, well as in his prosecutors.

LAUD IMPEACHED.

In the enquiry concerning grievances, and in the censure of past measures, Laud could not long escape the severe scrutiny of the commons; who were led too, in their accusation of that prelate, as well by their prejudices against his whole order, as by the extreme antipathy which his intemperate zeal had drawn upon him. After a deliberation, which scarcely lasted half an hour, an impeachment of high treason was voted against this subject, the first, both in rank and in favour, throughout the kingdom. Though this incident, considering the example of Strafford's impeachment, and the present disposition of the nation and parliament, needed be no surprise to him; yet was he betrayed into some passion, when the accusation was presented. *The commons themselves*, he said, *though his accusers, did not believe him guilty of the crimes with which they charged him*: an indiscretion which next day, upon more mature deliberation, he desired leave to retract; but so little favourable were the peers, that they refused him this advantage or indulgence. Laud also was immediately, upon this general charge, sequestered from parliament, and committed to custody.⁶

The capital article insisted on against these

two great men, was the design which the commons supposed to have been formed, of subverting the laws and constitution of England, and introducing arbitrary and unlimited authority into the kingdom. Of all the king's ministers, no one was so obnoxious in this respect as the lord keeper Finch. He it was, who, being speaker in the king's third parliament, had left the chair, and refused to put the question, when ordered by the house. The extrajudicial opinion of the judges in the case of ship-money, had been procured by his intrigues, persuasions, and even menaces.

all unpopular and illegal measures, he was ever most active; and he was even believed to have declared publicly, that while he was keeper an order of council should always, with him, be equivalent to a law. To appease the rising displeasure of the commons, he desired to be heard at their bar. He prostrated himself with all humility before them; but this submission availed him nothing. An impeachment was resolved on; and in order to escape their fury, he thought proper secretly to withdraw, and retire into Holland. As he was not esteemed equal to Strafford, or even to Laud, either in capacity or in fidelity to his master, it was generally believed that his escape had been contrived at by the popular leaders.⁷ His impeachment, however, in his absence, was carried up to the house of peers.

Sir Francis Windebank, the secretary, was a creature of Laud's; a sufficient reason for his being extremely obnoxious to the commons. He was secretly suspected too of the crime of popery; and it was known that, from complaisance to the queen, and indeed in compliance with the king's maxims of government, he had granted many indulgences to catholics, and had signed warrants for the pardon of priests, and their delivery from confinement. Grimstone, a popular member, called him, in the house, the very pander and broker to the whore of Babylon.⁸ Finding that the scrutiny of the commons was pointed towards him, and being sensible that England was no longer a place of safety for men of his character, he suddenly made his escape into France.⁹

Thus, in a few weeks, this house of commons, not opposed, or rather seconded by the peers, had produced such a revolution in the government, that the two most powerful and most favoured ministers of the king were thrown into the Tower, and daily expected to be tried for their life: two other ministers had, by flight alone, saved themselves from a like fate: all the king's servants saw that no protection could be given them by their master: a new jurisdiction was erected in the nation; and before that tribunal all those trembled, who had before exulted most in their credit and authority.

GREAT AUTHORITY OF THE COMMONS.

WHAT rendered the power of the commons more formidable was, the extreme prudence with which it was conducted. Not content with the authority which they had acquired by attacking these great ministers, they were resolved to render the most considerable bodier of the nation obnoxious to them. Though the idol of the people, they determined to fortify themselves likewise with terrors, and to overawe those who might still be inclined to support the falling ruins of monarchy.

During the late military operations, several powers had been exercised by the lieutenants and deputy-lieutenants of counties: and these powers, though necessary for the defence of the nation, and even warranted by all former precedent, yet not being authorized by statute, were now voted to be illegal; and the persons who had assumed them, declared *delinquents*. This term was newly come into vogue, and expressed a degree and species of guilt not exactly known or ascertained. In consequence of that determination, many of the nobility and prime gentry of the nation, while only exerting, as they justly thought, the legal powers of magistracy, unexpectedly found themselves involved in the crime of delinquency. And the commons reaped this multiplied advantage by their vote: they disarmed the crown; they established the maxims of rigid law and liberty; and they spread the terror of their own authority.¹⁰

The writs for ship-money had been directed to the sheriffs, who were required, and even obliged, under severe penalties, to assess the sums upon individuals, and to levy them by their authority. Yet were all the sheriffs, and all those who had been employed in that illegal service, voted, by a very rigorous sentence, to be delinquents. The king, by the maxims of law, could do no wrong: his ministers and servants, of whatever degree, in case of any violation of the constitution, were alone culpable.¹¹

All the farmers and officers of the customs, who had been employed during so many years in levying tonnage and poundage, and the new impositions, were likewise declared criminals, and were afterwards glad to compound for a pardon by paying a fine of a hundred and fifty thousand pounds.

Every discretionary or arbitrary sentence of the star-chamber and high commission courts, which, from their very constitution, were arbitrary, underwent a severe scrutiny: and all those who had concurred in such sentences, were voted to be liable to the penalties of law.¹² No minister of the king, no member of the council, but found himself exposed by this decision.

The judges who had given their vote against Hambden, in the trial of ship-money, were

accused before the peers, and obliged to find surety for their appearance. Berkley, a judge of the king's bench, was seized by order of the house, even when sitting in his tribunal; and all men saw with astonishment the irresistible authority of their jurisdiction.¹³

The sanction of the lords and commons, as well as that of the king, was declared necessary for the confirmation of ecclesiastical canons.¹⁴ And this judgment, it must be confessed, however reasonable, at least useful, it would have been difficult to justify by any precedent.¹⁵ But the present was no time for question or dispute. That decision which abolished all legislative power except that of parliament, was requisite for completing the new plan of liberty, and rendering it quite uniform and systematical. Almost all the bench of bishops, and the most considerable of the inferior clergy, who had voted in the late convocation, found themselves exposed by these new principles to the imputation of delinquency.¹⁶

The most unpopular of all Charles's measures, and the least justifiable, was the revival of monopolies, so solemnly abolished, after reiterated endeavours, by a recent act of parliament. Sensible of this unhappy measure, the king had of himself recalled, during the time of his first expedition against Scotland, many of these oppressive patents; and the rest were now annulled by authority of parliament, and every one who was concerned in them declared delinquents. The commons carried so far their detestation of this odious measure, that they assumed a power which had formerly been seldom practised,¹⁷ and they expelled all their members who were monopolists or projectors: an artifice, by which, besides increasing their own privileges, they weakened still further the very small party which the king secretly retained in the house. Mildmay, a notorious monopolist, yet having associated himself with the ruling party, was still allowed to keep his seat. In all questions indeed of elections, no steady rule of decision was observed; and nothing further was regarded than the affections and attachments of the parties.¹⁸ Men's passions were too much heated to be shocked with any instance of injustice, which served ends so popular as those which were pursued by this house of commons.

The whole sovereign power being thus in a manner transferred to the commons, and the government, without any seeming violence or disorder, being changed in a moment from a monarchy almost absolute, to a pure democracy; the popular leaders seemed willing for some time to suspend their active vigour, and to consolidate their authority, ere they proceeded to any violent exercise of it. Every day produced some new harangue on past grievances. The detestation of former usurp-

ations, was farther enlivened: the jealousy of liberty roused: and agreeably to the spirit of free government, no less indignation was excited by the view of a violated constitution, than by the ravages of the most enormous tyranny.

This was the time when genius and capacity of all kinds, freed from the restraint of authority, and nourished by unbounded hopes and projects, began to exert themselves, and be distinguished by the public. Then was celebrated the sagacity of Pym, more fitted for use than ornament; matured, not chilled, by his advanced age, and long experience: then was displayed the mighty ambition of Hambden, taught disguise, not moderation, from former constraint; supported by courage, conducted by prudence, embellished by modesty; but whether founded in a love of power or zeal for liberty, is still, from his untimely end, left doubtful and uncertain: then too were known the dark, ardent, and dangerous character of St. John; the impetuous spirit of Holles, violent and sincere, open and entire in his enmities and in his friendships; the enthusiastic genius of young Vane, extravagant in the ends which he pursued, sagacious and profound in the means which he employed; incited by the appearances of religion, negligent of the duties of morality.

So little apology would be received for past measures, so contagious in the general spirit of discontent, that even men of the most moderate tempers, and the most attached to the church and monarchy, exerted themselves with the utmost vigour in the redress of grievances, and in prosecuting the authors of them. The lively and animated Digby displayed his eloquence on this occasion, the firm and undaunted Capel, the modest and candid Palmer. In this list too of patriot royalists are found the virtuous names of Hyde and Falkland. Though in their ultimate views and intentions, these men differed widely from the former; in their present actions and discourses, an entire concurrence and unanimity was observed.

By the daily harangues and invectives against illegal usurpations, not only the house of commons inflamed themselves with the highest animosity against the court: the nation caught new fire from the popular leaders, and seemed now to have made the first discovery of the many supposed disorders in the government. While the law in several instances seemed to be violated, they went no farther than some secret and calm murmurs; but mounted up into rage and fury, as soon as the constitution was thought to be restored to its former integrity and vigour. The capital, especially, being the seat of parliament, was highly animated with the spirit of mutiny and disaffection. Tumults were daily raised; seditious assemblies encouraged; and every man neg-

lecting his own business was wholly intent on the defence of liberty and religion. By stronger contagion, the popular affections were communicated from breast to breast, in this place of general rendezvous and society.

The harangues of members, now first published and dispersed, kept alive the discontents against the king's administration. The pulpits, delivered over to puritanical preachers and lecturers, whom the commons arbitrarily settled in all the considerable churches, resounded with faction and fanaticism. Vengeance was fully taken for the long silence and constraint, in which, by the authority of Laud and the high-commission, these preachers had been retained. The press, freed from all fear or reserve, swarmed with productions, dangerous by their seditious zeal and calumny, more than by any art or eloquence of composition. Noise and fury, cant and hypocrisy, formed the sole rhetoric which, during this tumult of various prejudices and passions, could be heard or attended to.

The sentence which had been executed against Pryme, Bastwic, and Burton, now suffered a revival from parliament. These libellers, far from being tamed by the rigorous punishments which they had undergone, showed still a disposition of repeating their offence; and the ministers were afraid lest new satires should issue from their prisons, and still farther inflame the prevailing discontents. By an order, therefore, of council, they had been carried to remote prisons; Bastwic to Scilly, Pryme to Jersey, Burton to Guernsey; all access to them was denied; and the use of books, and of pen, ink, and paper, was refused them. The sentence for these additional punishments was immediately reversed in an arbitrary manner by the commons: even the first sentence, upon examination, was declared illegal: and the judges who passed it were ordered to make reparation to the sufferers.¹⁹ When the prisoners landed in England, they were received and entertained with the highest demonstrations of affection, were attended by a mighty confluence of company, their charges were borne with great magnificence, and liberal presents bestowed on them. On their approach to any town, all the inhabitants crowded to receive them, and welcomed their reception with shouts and acclamations. Their train still increased, as they drew nigh to London. Some miles from the city, the zealots of their party met them in great multitudes, and attended their triumphant entrance: boughs were carried in this tumultuous procession; the roads were strewed with flowers, and amidst the highest exultations of joy, were intermingled loud and virulent invectives against the prelates, who had so cruelly persecuted such godly personages.²⁰ The more ignoble these

men were, the more sensible was the insult upon royal authority, and the more dangerous was the spirit of disaffection and mutiny, which it discovered among the people.

Lilburne, Leighton, and every one that had been punished for seditious libels during the preceding administration, now recovered their liberty, and were decreed damages from the judges and ministers of justice.²¹

Not only the present disposition of the nation ensured impunity to all libellers: a new method of framing and dispersing libels was invented by the leaders of popular discontent. Petitions to parliament were drawn, craving redress against particular grievances; and when a sufficient number of subscriptions were procured, the petitions were presented to the commons, and immediately published. These petitions became secret bonds of association among the subscribers, and seemed to give undoubted sanction and authority to the complaints which they contained.

It is pretended by historians favourable to the royal cause,²² and is even asserted by the king himself in a declaration,²³ that a most disingenuous or rather criminal practice prevailed, in conducting many of these addresses. A petition was first framed; moderate, reasonable, such as men of character willingly subscribed. The names were afterwards torn off, and affixed to another petition, which served better the purposes of the popular faction. We may judge of the wild fury which prevailed throughout the nation, when so scandalous an imposture, which affected such numbers of people, could be openly practised, without drawing infamy and ruin upon the managers.

So many grievances were offered both by the members, and by petitions without doors, that the house was divided into above forty committees, charged, each of them, with the examination of some particular violation of law and liberty, which had been complained of. Besides the general committees of religion, trade, privileges, law; many subdivisions of these were framed, and a strict scrutiny was every where carried on. It is to be remarked, that, before the beginning of this century, when the commons assumed less influence and authority, complaints of grievances were usually presented to the house, by any members who had had particular opportunity of observing them. These general committees, which were a kind of inquisitorial courts, had not then been established; and we find that the king, in a former declaration,²⁴ complains loudly of this innovation, so little favourable to royal authority. But never was so much multiplied as at present, the use of these committees; and the commons, though themselves the greatest innovators, employed the usual artifice of complaining against innovations,

and pretended to recover the ancient and established government.

From the reports of their committees, the house daily passed votes, which mortified and astonished the court, and inflamed and animated the nation. Ship-money was declared illegal and arbitrary; the sentence against Hamblen cancelled; the court of York abolished; compositions for knighthood stigmatized; the enlargement of the forests condemned; patents for monopolies annulled; and every late measure of administration treated with reproach and obloquy. To-day, a sentence of the star-chamber was exclaimed against: to-morrow, a decree of the high-commission. Every discretionary act of council was represented as arbitrary and tyrannical; and the general inference was still inculcated, that a formed design had been laid to subvert the laws and constitution of the kingdom.

From necessity, the king remained entirely passive during all these violent operations. The few servants, who continued faithful to him, were seized with astonishment at the rapid progress made by the commons in power and popularity, and were glad, by their unactive and inoffensive behaviour, to compound for impunity. The torrent rising to so dreadful and unexpected a height, despair seized all those, who from interest or habit were most attached to monarchy. And as for those who maintained their duty to the king, merely from their regard to the constitution, they seemed by their concurrence to swell that inundation which began already to deluge every thing. "You have taken the whole machine of government in pieces," said Charles in a discourse to the parliament; "a practice frequent with skillful artists, when they desire to clear the wheels from any rust which may have grown upon them. The engine," continued he, "may again be restored to its former use and motions, provided it be put up entire; so as not a pin of it be wanting." But this was far from the intention of the commons. The machine they thought, with some reason, was incumbered with many wheels and springs, which retarded and crossed its operations, and destroyed its utility. Happy! had they proceeded with moderation, and been contented, in their present plenitude of power, to remove such parts only as might justly be deemed superfluous and incongruous.

In order to maintain that high authority which they had acquired, the commons, besides confounding and overawing their opponents, judged it requisite to inspire courage into their friends and adherents; particularly into the Scots, and the religious puritans, to whose assistance and good offices they were already so much beholden.

No sooner were the Scots masters of the northern counties, than they laid aside their

first professions, which they had not indeed means to support, of paying for every thing; and in order to prevent the destructive expedient of plunder and free quarters, the country consented to give them a regular contribution of eight hundred and fifty pounds a-day, in full of their subsistence.²⁵ The parliament, that they might relieve the northern counties from so grievous a burden, agreed to remit pay to the Scottish, as well as to the English army; and because subsidies would be levied too slowly for so urgent an occasion, money was borrowed from the citizens upon the security of particular members. Two subsidies, a very small sum,²⁶ were at first voted; and as the intention of this supply was to indemnify the members, who, by their private, had supported public credit, this pretence was immediately laid hold of, and the money was ordered to be paid, not into the treasury, but to commissioners appointed by parliament: a practice which, as it diminished the authority of the crown, was willingly embraced, and was afterwards continued by the commons, with regard to every branch of revenue which they granted to the king. The invasion of the Scots had evidently been the cause of assembling the parliament: the presence of their army reduced the king to that total subjection in which he was now held: the commons, for this reason, openly professed their intention of retaining these invaders, till all their own enemies should be suppressed, and all their purposes effected. *We cannot yet spare the Scots*, said Stride plainly in the house; *the sons of Zeruiah are still too strong for us*:²⁷ an allusion to a passage of scripture, according to the mode of that age. Eighty thousand pounds a-month were requisite for the subsistence of the two armies; a sum much greater than the subject had ever been accustomed, in any former period, to pay to the public. And though several subsidies, together with a poll-tax, were from time to time voted to answer the charge; the commons still took care to be in debt, in order to render the continuance of the session the more necessary.

The Scots being such useful allies to the malcontent party in England, no wonder they were courted with the most unlimited complaisance and the most important services. The king having, in his first speech, called them *rebels*, observed that he had given great offence to the parliament; and he was immediately obliged to soften, and even retract the expression. The Scottish commissioners, of whom the most considerable were the earl of Rothes and lord London, found every advantage in conducting their treaty; yet made no haste in bringing it to an issue. They were lodged in the city, and kept an intimate correspondence, as well with the magistrates,

who were extremely disaffected, as with the popular leaders in both houses. St. Antholine's church was assigned them for their devotions; and their chaplains, here, began openly to practise the presbyterian form of worship, which, except in foreign languages, had never hitherto been allowed any indulgence or toleration. So violent was the general propensity towards this new religion, that multitudes of all ranks crowded to the church. Those, who were so happy as to find access early in the morning, kept their places the whole day: those, who were excluded, clung to the doors or windows, in hopes of catching, at least, some distant murmur or broken phrases of the holy rhetoric.²⁸ All the eloquence of parliament, now well refined from pedantry, animated with the spirit of liberty, and employed in the most important interests, was not attended to with such insatiable avidity, as were these lectures, delivered with ridiculous cant, and a provincial accent, full of barbarism and ignorance.

The most effectual expedient for paying court to the zealous Scots was to promote the presbyterian discipline and worship throughout England, and to this innovation the popular leaders among the commons, as well as their more devoted partisans, were, of themselves, sufficiently inclined. The puritanical party, whose progress, though secret, had hitherto been gradual in the kingdom, taking advantage of the present disorders, began openly to profess their tenets, and to make furious attacks on the established religion. The prevalence of that sect in the parliament discovered itself, from the beginning, by insensible but decisive symptoms. Marshall and Burgess, two puritanical clergymen, were chosen to preach before them, and entertained them with discourses seven hours in length.²⁹ It being the custom of the house always to take the sacrament before they enter upon business, they ordered, as a necessary preliminary, that the communion table should be removed from the east end of St. Margaret's into the middle of the area.³⁰ The name of the *spiritual lords* was commonly left out in acts of parliament; and the laws ran in the name of king, lords, and commons. The clerk of the upper house, in reading bills, turned his back on the bench of bishops; nor was his insolence ever taken notice of. On a day appointed for a solemn fast and humiliation, all the orders of temporal peers, contrary to former practice, in going to church, took place of the spiritual; and lord Spencer remarked, that the humiliation, that day, seemed confined alone to the prelates.

THE BISHOPS ATTACKED.

EVERY meeting of the commons produced some vehement harangue against the usurp-

ations of the bishops, against the high commission, against the late convocation, against the new canons. So disgusted were all lovers of civil liberty at the doctrines promoted by the clergy, that these invectives were received without control; and no distinction, at first, appeared between such as desired only to repress the exorbitances of the hierarchy, and such as pretended totally to annihilate episcopal jurisdiction. Encouraged by these favourable appearances, petitions against the church were framed in different parts of the kingdom. The epithet of the ignorant and vicious priesthood was commonly applied to all churchmen, addicted to the established discipline and worship; though the episcopal clergy in England, during that age, seem to have been, as they are at present, sufficiently learned and exemplary. An address against episcopacy was presented by twelve clergymen to the committee of religion, and pretended to be signed by many hundreds of the puritanical persuasion. But what made most noise was, the city petition for a total alteration of church government; a petition to which fifteen thousand subscriptions were annexed, and which was presented by alderman Pennington, the city member.³¹ It is remarkable that, among the many ecclesiastical abuses there complained of, an allowance, given by the licensers of books, to publish a translation of Ovid's *Art of Love*, is not forgotten by these rustic censors.³²

Notwithstanding the favourable disposition of the people, the leaders in the house resolved to proceed with caution. They introduced a bill for prohibiting all clergymen the exercise of any civil office. As a consequence, the bishops were to be deprived of their seats in the house of peers; a measure not unacceptable to the zealous friends of liberty, who observed with regret the devoted attachment of that order to the will of the monarch. But when this bill was presented to the peers, it was rejected by a great majority:³³ the first check which the commons had received in their popular career, and a prognostic of what they might afterwards expect from the upper house, whose inclinations and interests could never be totally separated from the throne. But, to show how little they were discouraged, the puritans immediately brought in another bill for the total abolition of episcopacy; though they thought proper to let that bill sleep at present, in expectation of a more favourable opportunity of reviving it.³⁴

Among other acts of regal executive power, which the commons were every day assuming, they issued orders for demolishing all images, altars, crucifixes. The zealous sir Robert Harley, to whom the execution of these orders was committed, removed all crosses even out of streets and markets; and from his abhorrence of that superstitious figure, would

not any where allow one piece of wood or stone to lie over another at right angles.³⁵

The bishop of Ely and other clergymen were attacked on account of innovations.³⁶ Cozens, who had long been obnoxious, was exposed to new censures. This clergyman, who was dean of Peterborough, was extremely zealous for ecclesiastical ceremonies: and so far from permitting the communicants to break the sacramental bread with their fingers, a privilege on which the puritans strenuously insisted, he would not so much as allow it to be cut with an ordinary household instrument. A consecrated knife must perform that sacred office, and must never afterwards be profaned by any vulgar service.³⁷

Cozens likewise was accused of having said, *The king has no more authority in ecclesiastical matters, than the boy who rubs my horse's heels*.³⁸ The expression was violent: but it is certain, that all those high churchmen, who

submission, were extremely fond of their own privileges and independency, and were desirous of exempting the mitre from all subjection to the crown.

A committee was elected by the lower house, as a court of inquisition upon the clergy, and was commonly denominated the committee of *scandalous ministers*. The politicians among the commons were apprized of the great importance of the pulpit for guiding the people; the bigots were enraged against the prelatical clergy; and both of them knew that no established government could be overthrown by strictly observing the principles of justice, equity, or clemency. The proceedings, therefore, of this famous committee, which continued for several years, were cruel and arbitrary, and made great havoc both on the church and the universities. They began with harassing, imprisoning, and molesting the clergy; and ended with sequestering and ejecting them. In order to join continuely to cruelty, they gave the sufferers the epithet of *scandalous*, and endeavoured to render them as odious as they were miserable.³⁹ The greatest vices, however, which they could reproach to a great part of them, were, bowing at the name of Jesus, placing the communion table in the east, reading the king's orders for sports on Sunday, and other practices, which the established government, both in church and state, had strictly enjoined them.

It may be worth observing, that all historians, who lived near that age, or what perhaps is more decisive, all authors who have casually made mention of those public transactions, still represent the civil disorders and convulsions as proceeding from religious controversy, and consider the political disputes about power and liberty, as entirely subordinate to the other. It is true, had the king been able to

support government, and at the same time to abstain from all invasion of national privileges, it seems not probable that the puritans ever could have acquired such authority as to overturn the whole constitution: yet so entire was the subjection into which Charles was now fallen, that, had not the wound been poisoned by the infusion of theological hatred, it must have admitted of an easy remedy. Disuse of parliaments, imprisonments and prosecution of members, ship-money, an arbitrary administration; these were loudly complained of: but the grievances which tended chiefly to inflame the parliament and nation, especially the latter, were the surplice, the rails placed about the altar, the bows exacted on approaching it, the liturgy, the breach of the sabbath, embroidered copes, lawn sleeves, the use of the ring in marriage, and of the cross in baptism. On account of these, were the popular leaders content to throw the government into such violent convulsions; and, to the disgrace of that age, and of this island, it must be acknowledged, that the disorders in Scotland entirely, and those in England mostly, proceeded from so mean and contemptible an origin.⁴⁰

Some persons, partial to the patriots of this age, have ventured to put them in balance with the most illustrious characters of antiquity; and mentioned the names of Pym, Hambliden, Vane, as a just parallel to those of Cato, Brutus, Cassius. Profound capacity, indeed, admitted prize; in these particulars perhaps the Roman do not much surpass the English worthies; but what a difference, when the discourse, conduct, conversation, and private as well as public behaviour, of both are inspected! Compare only one circumstance, and consider its consequences. The leisure of those noble ancients was totally employed in the study of Grecian eloquence and philosophy; in the cultivation of polite letters and civilized society: the whole discourse and language of the moderns were polluted with mysterious jargon, and full of the lowest and most vulgar hypocrisy.

The laws, as they stood at present, protected the church, but they exposed the catholics to the utmost rage of the puritans; and these unhappy religionists, so obnoxious to the prevailing sect, could not hope to remain long unmolested. The voluntary contribution which they had made, in order to assist the king in his war against the Scottish covenanters, was inquired into, and represented as the greatest enormity.⁴¹ By an address from the commons, all officers of that religion were removed from the army, and application was made to the king for seizing two-thirds of the lands of recusants; a proportion to which, by law, he was entitled, but which he had always allowed them to possess upon easy compositions.

The execution of the severe and bloody laws against priests was insisted on : and one Goodman a jesuit, who was found in prison, was condemned to a capital punishment. Charles, however, agreeably to his usual principles, scrupled to sign the warrant for his execution ; and the commons expressed great resentment on the occasion.⁴² There remains a singular petition of Goodman, begging to be hanged, rather than prove a source of contention between the king and his people.⁴³ He escaped with his life ; but it seems more probable that he was overlooked amidst affairs of greater consequence, than that such unrelenting hatred would be softened by any consideration of his courage and generosity.

For some years, Con, a Scotchman, afterwards, Rosetti, an Italian, had openly resided at London, and frequented the court, as vested with a commission from the pope. The queen's zeal, and her authority with her husband, had been the cause of this imprudence, so offensive to the nation.⁴⁴ But the spirit of bigotry now rose too high to permit any longer such indulgences.⁴⁵

Hayward, a justice of peace, having been wounded, when employed in the exercise of his office, by one James, a catholic madman, this enormity was ascribed to the popery, not to the phrenzy, of the assassin ; and great alarms seized the nation and parliament.⁴⁶ An universal conspiracy of the papists was supposed to be taken place in London, for many days, imagined that he had a sword at his throat. Though some persons of family and distinction were still attached to the catholic superstition, it is certain that the numbers of that sect did not amount to the fortieth part of the nation : and the frequent panics to which men, during this period, were so subject on account of the catholics, were less the effects of fear, than of extreme rage and aversion entertained against them.

The queen-mother of France, having been forced into banishment by some court intrigues, had retired into England ; and expected shelter, amidst her present distresses, in the dominions of her daughter and son-in-law. But though she behaved in the most inoffensive manner, she was insulted by the populace on account of her religion ; and was even threatened with worse treatment. The earl of Holland, lieutenant of Middlesex, had ordered a hundred musqueteers to guard her ; but finding that they had imbibed the same prejudices with the rest of their countrymen, and were unwilling employed in such a service, he laid the case before the house of peers ; for the king's authority was now entirely annihilated. He represented the indignity of the action, that so great a princess, mother to the king of France, and to the queens of Spain and England, should be affronted by the

multitude. He observed the indelible reproach which would fall upon the nation, if that unfortunate queen should suffer any violence from the misguided zeal of the people. He urged the sacred rights of hospitality due to every one, much more to a person in distress, of so high a rank, with whom the nation was so nearly connected. The peers thought proper to communicate the matter to the commons, whose authority over the people was absolute. The commons agreed to the necessity of protecting the queen-mother ; but at the same time prayed, that she might be desired to depart the kingdom : " For the quieting those jealousies in the hearts of his majesty's well-affected subjects, occasioned by some ill-instruments about that queen's person, by the flowing of priests and papists to her house, and by the use and practice of the idolatry of the mass, and exercise of other superstitious services of the Romish church, to the great scandal of true religion."⁴⁷

Charles, in the former part of his reign, had endeavoured to overcome the intractable and encroaching spirit of the commons, by a perseverance in his own measures, by a stately dignity of behaviour, and by maintaining, at their utmost height, and even perhaps stretching beyond former precedent, the rights of his prerogative. Finding, by experience, how unsuccessful those measures had proved, and observing the low condition to which he was now reduced, he resolved to alter his whole conduct, and to regain the confidence of his people, by pliancy, by concessions, and by a total conformity to their inclinations and prejudices. It may safely be averred, that this new extreme into which the king, for want of proper counsel or support, was fallen, became no less dangerous to the constitution, and pernicious to public peace, than the other, in which he had so long and so unfortunately persevered.

TONNAGE AND POUNDAGE.

The pretensions with regard to tonnage and poundage were revived, and with certain assurance of success by the commons.⁴⁸ The levying of these duties, as formerly, without consent of parliament, and even increasing them at pleasure, was such an incongruity in a free constitution, where the people, by their fundamental privileges, cannot be taxed but by their own consent, as could no longer be endured by these jealous patrons of liberty. In the preamble therefore to the bill, by which the commons granted these duties to the king, they took care in the strongest and most positive terms, to assert their own right of bestowing this gift, and to divest the crown of all independent title of assuming it. And that they might increase, or rather finally fix, the entire

dependence and subjection of the king, they voted these duties only for two months, and afterwards, from time to time, renewed their grants for very short periods.⁴⁹ Charles, in order to show that he entertained no intention ever again to separate himself from his parliament, passed this important bill without any scruple or hesitation.⁵⁰

TRIENNIAL BILL.

WITH regard to the bill for triennial parliaments, he made a little difficulty. By an old statute, passed during the reign of Edward III. it had been enacted, that parliaments should be held once every year, or more frequently if necessary: but as no provision had been made in case of failure, and no precise method pointed out for execution; this statute had been considered merely as a general declaration, and was dispensed with at pleasure. The defect was supplied by those vigilant patriots who now assumed the reins of government. It was enacted, that if the chancellor, who was first bound under severe penalties, failed to issue writs by the third of September in every third year, any twelve or more of the peers should be empowered to exert this authority: in default of the peers, that the sheriffs, mayors, bailiffs, &c. should summon the voters: and in their default, that the voters themselves should meet and proceed to the election of members, in the same manner as if writs had been regularly issued from the crown. Nor could the parliament, after it was assembled, be adjourned, prorogued, or dissolved, without their own consent, during the space of fifty days. By this bill, some of the noblest and most valuable prerogatives of the crown were retrenched; but at the same time nothing could be more necessary than such a statute, for completing a regular plan of law and liberty. A great reluctance to assemble parliaments must be expected in the king; where these assemblies, as of late, establish it as a maxim to carry their scrutiny into every part of government. During long intermissions of parliament, grievances and abuses, as was found by recent experience, would naturally creep in; and it would even become necessary for the king and council to exert a great discretionary authority, and by acts of state to supply, in every emergency, the legislative power, whose meeting was so uncertain and precarious. Charles, finding that nothing less would satisfy his parliament and people, at last gave his assent to this bill, which produced so great an innovation in the constitution.⁵¹ Solemn thanks were presented him by both houses. Great rejoicings were expressed both in the city and throughout the nation. And mighty professions were every where made of gratitude and mutual returns of supply and

confidence. This concession of the king, it must be owned, was not entirely voluntary: it was of a nature too important to be voluntary. The sole inference which his partisans were entitled to draw from the submissions so frankly made to present necessity, was, that he had certainly adopted a new plan of government, and for the future was resolved, by every indulgence, to acquire the confidence and affections of his people.

Charles thought, that what concessions were made to the public were of little consequence, if no gratifications were bestowed on individuals, who had acquired the direction of public counsels and determinations. A change of ministers, as well as of measures, was therefore resolved on. In one day several new privy-counsellors were sworn; the earls of Hertford, Bedford, Essex, Bristol; the lords Say, Saville, Kimbolton: within a few days after was admitted the earl of Warwic.⁵² All these noblemen were of the popular party; and some of them afterwards, when matters were pushed to extremities by the commons, proved the greatest support of monarchy.

Juxon, bishop of London, who had never desired the treasurer's staff, now earnestly solicited for leave to resign it, and retire to the care of that turbulent diocese committed to him. The king gave his consent; and it is remarkable, that during all the severe inquiries carried on against the conduct of ministers and prelates, the mild and prudent virtues of this man, who bore both these invidious characters, remained unmolested.⁵³ It was intended that Bedford, a popular man of great authority, as well as wisdom and moderation, should succeed Juxon: but that nobleman, unfortunately both for king and people, died about this very time. By some promotions, place was made for St. John, who was created solicitor-general. Hollis was to be made secretary of state, in the room of Windebank, who had fled: Pym, chancellor of the exchequer, in the room of lord Cottington, who had resigned: lord Say, master of the wards, in the room of the same nobleman: the earl of Essex, governor; and Hamden, tutor to the prince.⁵⁴

What retarded the execution of these projected changes was, the difficulty of satisfying all those who, from their activity and authority in parliament, had pretensions for offices, and who still had it in their power to embarrass and distress the public measures. Their associates too in popularity, whom the king intended to distinguish by his favour, were unwilling to undergo the reproach of having driven a separate bargain, and of sacrificing to their own ambitious views, the cause of the nation. And as they were sensible that they must owe their preferment entirely to their weight and consideration in parliament,

they were most of them resolved still to adhere to that assembly, and both to promote its authority, and to preserve their own credit in it. On all occasions, they had no other advice to give the king, than to allow himself to be directed by his great council; or in other words, to resign himself passively to their guidance and government. And Charles found, that, instead of acquiring friends by the honours and offices which he should bestow, he should only arm his enemies with more power to hurt him.

The end on which the king was most intent in changing ministers was, to save the life of the earl of Strafford, and to mollify, by these indulgences, the rage of his most furious prosecutors. But so high was that nobleman's reputation for experience and capacity, that all the new counsellors and intended ministers plainly saw, that if he escaped their vengeance, he must return into favour and authority; and they regarded his death as the only security which they could have, both for the establishment of their present power, and for success in their future enterprises. His impeachment, therefore, was pushed on with the utmost vigour; and after long and solemn preparations was brought to a final issue.

STRAFFORD'S TRIAL.

IMMEDIATELY after Strafford was sequestered from parliament, and confined in the Tower, a committee of thirteen was chosen by the lower house, and intrusted with the office of preparing a charge against him. These, joined to a small committee of lords, were vested with authority to examine all witnesses, to call for every paper, and to use any means of scrutiny, with regard to any part of the earl's behaviour and conduct.⁵⁵ After so general and unbounded an inquisition, exercised by such powerful and implacable enemies, a man must have been very cautious or very innocent, not to afford, during the whole course of his life, some matter of accusation against him.

This committee, by direction from both houses, took an oath of secrecy; a practice very unusual, and which gave them the appearance of conspirators, more than ministers of justice.⁵⁶ But the intention of this strictness was, to render it more difficult for the earl to elude their search, or prepare for his justification.

Application was made to the king, that he would allow this committee to examine privy-counsellors with regard to opinions delivered at the board: a concession which Charles unwarily made, and which thenceforth banished all mutual confidence from the deliberations of council; where every man is supposed to have entire freedom, without fear of future punishment or inquiry, of proposing any expedient,

questioning any opinion, or supporting any argument.⁵⁷

Sir George Ratcliffe, the earl's intimate friend and confidant, was accused of high treason, sent for from Ireland, and committed to close custody. As no charge ever appeared or was prosecuted against him, it is impossible to give a more charitable interpretation to this measure, than that the commons thereby intended to deprive Strafford, in his present distress, of the assistance of his best friend, who was most enabled, by his testimony, to justify the innocence of his patron's conduct and behaviour.⁵⁸

When intelligence arrived in Ireland of the plans laid for Strafford's ruin, the Irish house of commons, though they had very lately bestowed ample praises on his administration, entered into all the violent councils against him, and prepared a representation of the miserable state into which, by his misconduct, they supposed the kingdom to be fallen. They sent over a committee to London, to assist in the prosecution of their unfortunate governor; and by intimations from this committee, who entered into close confederacy with the popular leaders in England, was every measure of the Irish parliament governed and directed. Impeachments, which were never prosecuted, were carried up against sir Richard Bolton, the chancellor, sir Gerrard Louthier, chief justice, and Bramhall, bishop of Derry.⁵⁹ This step, which was an exact counterpart to the proceedings in England, served also the same purposes: it deprived the king of the ministers whom he most trusted; it discouraged and terrified all the other ministers; and it prevented those persons who were best acquainted with Strafford's counsels from giving evidence in his favour before the English parliament.

1641. The bishops, being forbidden by the ancient canons to assist in trials for life, and being unwilling, by any opposition, to irritate the commons, who were already much prejudiced against them, thought proper, of themselves, to withdraw.⁶⁰ The commons also voted, that the new created peers ought to have no voice in this trial; because the accusation being agreed to while they were commonsers, their consent to it was implied with that of all the commons of England. Notwithstanding this decision, which was meant only to deprive Strafford of so many friends, lord Seymour, and some others, still continued to keep their seat; nor was their right to it any farther questioned.⁶¹

To bestow the greater solemnity on this important trial, scaffolds were erected in Westminster-hall; where both houses sat, the one as accusers, the other as judges. Besides the chair of state, a close gallery was prepared for the king and queen, who attended during the whole trial.⁶²

An accusation carried on by the united effort of three kingdoms, against one man, unprotected by power, unassisted by counsel, discountenanced by authority, was likely to prove a very unequal contest: yet such were the capacity, genius, presence of mind, displayed by this magnanimous statesman, that, while argument and reason and law had any place, he obtained an undisputed victory. And he perished at last, overwhelmed and still unsubdued, by the open violence of his fierce and unrelenting antagonists.

The articles of impeachment against Strafford are twenty-eight in number; and regard his conduct as president of the council of York, as deputy or lieutenant of Ireland, and as counsellor or commander in England. But though four months were employed by the managers in framing the accusation, and all Strafford's answers were extemporary; it appears from comparison, not only that he was free from the crime of treason, of which there is not the least appearance, but that his conduct, making allowance for human infirmities, exposed to such severe scrutiny, was innocent, and even laudable.

The powers of the northern council, while he was president, had been extended by the king's instructions beyond what formerly had been practised: but that court being at first instituted by a stretch of royal prerogative, it had been usual for the prince to vary his instructions, and the largest authority committed to it was altogether as legal as the most moderate and most limited. Nor was it reasonable to conclude, that Strafford had used any art to procure the king's favour, or to exercise once sat as president, or exercised one act of jurisdiction, after he was invested with the authority so much complained of.⁶¹

In the government of Ireland, his administration had been equally promotive of his master's interests, and that of the subjects committed to his care. A large debt he had paid off: he had left a considerable sum in the exchequer: the revenue, which never before answered the charges of government, was now raised to be equal to them.⁶⁴ A small standing army, formerly kept in no order, was augmented, and was governed by exact discipline: and a great force was there raised and paid, for the support of the king's authority against the Scottish covenanters.

Industry, and all the arts of peace, were introduced among that rude people: the shipping of the kingdom augmented a hundred fold.⁶⁵ the customs tripled upon the same rates,⁶⁶ the exports double in value to the imports: manufactures, particularly that of linen, introduced and promoted.⁶⁷ agriculture, by means of the English and Scottish plantations, gradually advancing: the protestant religion encouraged, without the persecution or discontent of the catholics.

The springs of authority he had enforced without overstraining them. Discretionary acts of jurisdiction, indeed, he had often exerted, by holding courts-martial, billeting soldiers, deciding causes upon paper-petitions before the council, issuing proclamations, and punishing their infraction. But discretionary authority, during that age, was usually exercised even in England. In Ireland, it was still more requisite, among a rude people, not yet thoroughly subdued, averse to the religion and manners of their conquerors, ready on all occasions to relapse into rebellion and disorder. While the managers of the commons demanded, every moment, that the deputy's conduct should be examined by the line of rigid law and severe principles; he appealed still to the practice of all former deputies, and to the uncontrollable necessity of his situation.

So great was his art of managing elections and balancing parties, that he had engaged the Irish parliament to vote whatever was necessary, both for the payment of former debts, and for support of the new-raised army: nor had ever been reduced to the illegal expedients practised in England, for the supply of public necessities. No imputation of rapacity could justly lie against his administration. Some instances of imperious expressions, and even actions, may be met with. The case of lord Mountnorris, of all those which were collected with so much industry, is the most flagrant and the least excusable.

It had been reported at the table of lord chancellor Loftus, that Annesley, one of the deputy's attendants, in moving a stool, had sorely hurt his master's foot, who was at that time afflicted with the gout. *Perhaps*, said Mountnorris, who was present at table, *it was done in revenge of that public affront, which my lord deputy formerly put upon him:* BUT HE HAS A BROTHER, WHO WOULD NOT HAVE TAKEN SUCH A REVENGE. This casual, and seemingly innocent, at least ambiguous, expression, was reported to Strafford, who, on pretence that such a suggestion might prompt Annesley to avenge himself in another manner, ordered Mountnorris, who was an officer, to be tried by a court-martial for mutiny and sedition against his general. The court, which consisted of the chief officers of the army, found the crime to be capital, and condemned that nobleman to lose his head.⁶⁸

In vain did Strafford plead, in his own defence, against this article of impeachment, that the sentence of Mountnorris was the deed, and that too unanimous, of the court, not the act of the deputy; that he spake not to a member of the court, nor voted in the cause, but sat uncovered as a party, and then immediately withdrew, to leave them to their freedom; that, sensible of the iniquity of the sentence, he procured his majesty's free pardon to Mountnorris;

and that he did not even keep that nobleman a moment in suspense with regard to his fate, but instantly told him, that he himself would sooner lose his right hand than execute such a sentence, nor was his lordship's life in any danger. In vain did Strafford's friends add, as a further apology, that Mountnorris was a man of an infamous character, who paid court, by the lowest adulation, to all deputies, while present; and blackened their character, by the vilest calumnies, when recalled: and that Strafford, expecting like treatment, had used this expedient for no other purpose than to subdue the petulant spirit of the man. These excuses alleviate the guilt; but there still remains enough to prove, that the mind of the deputy, though great and firm, had been not a little debauched by the riot of absolute power and uncontrolled authority.

When Strafford was called over to England, he found every thing falling into such confusion, by the open rebellion of the Scots, and the secret discontents of the English, that, if he had counselled or executed any violent measure, he might perhaps have been able to apologize for his conduct from the great law of necessity, which admits not, while the necessity is extreme, of any scruple, ceremony, or delay.²¹ But in fact, no illegal advice or action was proved against him; and the whole amount of his guilt, during this period, was some peevish, or at most imperious, expressions, which, amidst such desperate extremities, and during a bad state of health, had unhappily fallen from him.

If Strafford's apology was, in the main, so satisfactory when he pleaded to each particular article of the charge, his victory was still more decisive when he brought the whole together, and repelled the imputation of treason; the crime which the commons would infer from the full view of his conduct and behaviour. Of all species of guilt, the law of England had, with the most scrupulous exactness, defined that of treason; because on that side it was found most necessary to protect the subject against the violence of the king and of his ministers. In the famous statute of Edward III. all the kinds of treason are enumerated, and every other crime, besides such as are there expressly mentioned, is carefully excluded from that appellation. But with regard to this guilt, *An endeavour to subvert the fundamental laws*, the statute of treason is totally silent: and arbitrarily to introduce it into the fatal catalogue, is itself a subversion of all law; and, under colour of defending liberty, reverses a statute the best calculated for the security of liberty that had ever been enacted by an English parliament.

As this species of treason, discovered by the commons, is entirely new and unknown to the laws; so is the species of proof by which they

pretend to fix that guilt upon the prisoner. They have invented a kind of *accumulative* or *constructive* evidence, by which many actions, either totally innocent in themselves, or criminal in a much inferior degree, shall, when united, amount to treason, and subject the person to the highest penalties inflicted by the law. A hasty and unguarded word, a rash and passionate action, assisted by the malevolent fancy of the accuser, and tortured by doubtful constructions, is transmuted into the deepest guilt; and the lives and fortunes of the whole nation, no longer protected by justice, are subjected to arbitrary will and pleasure.

"Where has this species of guilt lain so long concealed?" said Strafford in conclusion: "Where has this fire been so long buried, during so many centuries, that no smoke should appear till it burst out at once, to consume me and my children? Better it were to live under no law at all, and, by the maxims of cautious prudence, to conform ourselves, the best we can, to the arbitrary will of a master; than fancy we have a law on which we can rely, and find at last, that this law shall inflict a punishment precedent to the promulgation, and try us by maxims unheard of till the very moment of the prosecution. If I sail on the Thames, and split my vessel on an anchor; in case there be no buoy to give warning, the party shall pay me damages: but, if the anchor be marked out, then is the striking on it at my own peril. Where is the mark set upon this crime? Where the token by which I should discover it? It has lain concealed, under water; and no human prudence, no human innocence, could save me from the destruction with which I am at present threatened."

"It is now full two hundred and forty years since treasons were defined; and so long has it been since any man was touched to this extent, upon this crime, before myself. We have lived, my lords, happily to ourselves at home: we have lived gloriously abroad to the world: let us be content with what our fathers have left us: let not our ambition carry us to be more learned than they were, in these killing and destructive arts. Great wisdom it will be in your lordships, and just providence, for yourselves, for your posterities, for the whole kingdom, to cast from you, into the fire, these bloody and mysterious volumes of arbitrary and constructive treasons, as the primitive christians did their books of curious arts, and betake yourselves to the plain letter of the statute, which tells you where the crime is, and points out to you the path by which you may avoid it."

"Let us not, to our own destruction, awake those sleeping lions, by rattling up a company of old records, which have lain for so many ages, by the wall, forgotten and neglected. To

all my afflictions, add not this, my lords, the most severe of any; that I, for my other sins, not for my treasons, be the means of introducing a precedent so pernicious to the laws and liberties of my native country.

"However, these gentlemen at the bar say they speak for the commonwealth; and they believe so: yet, under favour, it is I who, in this particular, speak for the commonwealth. Precedents, like those which are endeavoured to be established against me, must draw along such inconveniences and miseries, that, in a few years, the kingdom will be in the condition expressed in a statute of Henry IV.; and no man shall know by what rule to govern his words and actions.

"Impose not, my lords, difficulties insurmountable upon ministers of state, nor disable them from serving with cheerfulness their king and country. If you examine them, and under such severe penalties, by every grain, by every little weight, the scrutiny will be intolerable. The public affairs of the kingdom must be left waste; and no wise man, who has any honour or fortune to lose, will ever engage himself in such dreadful, such unknown perils.

"My lords, I have now troubled your lordships a great deal longer than I should have done. Were it not for the interest of these pledges, which a saint in heaven left me, I should be loath!—Here he pointed to his children, and his weeping stopped him—"What I forfeit for myself, it is nothing: but, I confess, that my indiscretion should forfeit for them, it wounds me very deeply. You will be pleased to pardon my infirmity: something I should have said; but I see I shall not be able, and therefore I shall leave it.

"And now, my lords, I thank God, I have been, by his blessing, sufficiently instructed in the extreme vanity of all temporary enjoyments, compared to the importance of our eternal duration. And so, my lords, even so, with all humility, and with all tranquillity of mind, I submit, clearly and freely, to your judgments: and whether that righteous doom shall be to life or death, I shall repose myself, full of gratitude and confidence, in the arms of the great Author of my existence."⁷⁰

Certainly, says Whitlocke,⁷¹ with his usual candour, never any man acted such a part, on such a theatre, with more wisdom, constancy, and eloquence, with greater reason, judgment, and temper, and with a better grace in all his words and actions, than did this great and excellent person; and he moved the hearts of all his auditors, some few excepted, to remorse and pity. It is remarkable, that the historian, who expresses himself in these terms, was himself chairman of that committee which conducted the impeachment against this unfortunate statesman. The accusation and defence lasted eighteen days. The managers divided the

several articles among them, and attacked the prisoner with all the weight of authority, with all the vehemence of rhetoric, with all the accuracy of long preparation. Strafford was obliged to speak with deference and reserve towards his most inveterate enemies, the commons, the Scottish nation, and the Irish parliament. He took only a very short time, on each article, to recollect himself: yet he alone, without assistance, mixing modesty and humility with firmness and vigour, made such a defence, that the commons saw it impossible, by a legal prosecution, ever to obtain a sentence against him.

But the death of Strafford was too important a stroke of party to be left unattended by any expedient, however extraordinary. Besides the great genius and authority of that minister, he had threatened some of the popular leaders with an impeachment; and, had he not, himself, been suddenly prevented by the impeachment of the commons, he had, that very day, it was thought, charged Pym, Hamden, and others, with treason, for having invited the Scots to invade England. A bill of attainder was therefore brought into the lower house immediately after finishing these pleadings; and preparatory to it, a new proof of the earl's guilt was produced, in order to remove such scruples as might be entertained with regard to a method of proceeding so unusual and irregular.

Sir Henry Vane, secretary, had taken some notes of a debate in council, after the dissolution of the last parliament; and being at a distance, he had sent the keys of his cabinet, as was pretended, to his son, sir Henry, in order to search for some papers, which were necessary for completing a marriage-settlement. Young Vane, falling upon this paper of notes, deemed the matter of the utmost importance; and immediately communicated it to Pym, who now produced the paper before the house of commons. The question before the council was: *offensive or defensive war with the Scots.* The king proposes this difficulty, "But how can I undertake offensive war, if I have no more money?" The answer ascribed to Strafford was in these words: "Borrow of the city a hundred thousand pounds: go on vigorously to levy ship-money. Your majesty having tried the affections of your people, you are absolved and loose from all rules of government, and may do what power will admit. Your majesty, having tried all ways, shall be acquitted before God and man. And you have an army in Ireland, which you may employ to reduce this kingdom to obedience: for I am confident the Scots cannot hold out five months." There followed some counsels of Laud and Cottington, equally violent, with regard to the king's being absolved from all rules of government.⁷²

This paper, with all the circumstances of its

discovery and communication, was pretended to be equivalent to two witnesses, and to be an unanswerable proof of those pernicious counsels of Strafford, which tended to the subversion of the laws and constitution. It was replied by Strafford and his friends, That old Vane was his most inveterate and declared enemy; and if the secretary himself, as was by far most probable, had willingly delivered to his son this paper of notes, to be communicated to Pym, this implied such a breach of oaths and of trust as rendered him totally unworthy of all credit: that the secretary's deposition was at first exceedingly dubious: upon two examinations, he could not remember any such words: even the third time, his testimony was not positive, but imported only that Strafford had spoken such or such-like words: and words may be very like in sound, and differ much in sense; nor ought the lives of men to depend upon grammatical criticism; of any expressions, much less of those which had been delivered by the speaker without premeditation, and committed by the hearer for any time, however short, to the uncertain record of memory. That, in the present case, changing *This kingdom* into *That kingdom*, a very slight alteration! the earl's discourse could regard nothing but Scotland, and implies no advice unworthy of an English counsellor. That even retaining the expression, *This kingdom*, the words may fairly be understood of Scotland, which alone was the kingdom that the debate regarded, and which alone had thrown off allegiance, and could be reduced to obedience. That it could be proved, as well by the evidence of all the king's ministers, as by the known disposition of the forces, that the intention never was to send the Irish army in England, but in Scotland. That of six other counsellors present, Laud and Windebank could give no evidence; Northumberland, Hamilton, Cottington, and Juxon, could recollect no such expression; and the advice was too remarkable to be easily forgotten. That it was nowise probable such a desperate counsel would be openly delivered at the board, and before Northumberland, a person of that high rank, and whose attachments to the court were so much weaker than his connexions with the country. That though Northumberland, and he alone, had recollected some such expression as that, *Of being absolved from rules of government*, yet in such desperate extremities as those into which the king and kingdom were then fallen, a maxim of that nature, allowing it to be delivered by Strafford, may be defended upon principles the most favourable to law and liberty. And that nothing could be more iniquitous, than to extract an accusation of treason, from an opinion simply proposed at the council-table, where all freedom of debate ought to be permitted, and where it was not unusual for the members, in order to

draw forth the sentiments of others, to propose counsels very remote from their own secret advice and judgment.⁷³

BILL OF ATTAINDER.

The evidence of secretary Vane, though exposed to such unsurmountable objections, was the real cause of Strafford's unhappy fate; and made the bill of attainder pass the commons with no greater opposition than that of fifty-nine dissenting votes. But there remained two other branches of the legislature, the king and the lords, whose assent was requisite; and these, if left to their free judgment, it was easily foreseen, would reject the bill without scruple or deliberation. To overcome this difficulty, the popular leaders employed expedients, for which they were beholden partly to their own industry, partly to the indiscretion of their adversaries.

Next Sunday after the bill passed the commons, the puritanical pulpits resounded with declamations concerning the necessity of executing justice upon great delinquents.⁷⁴ The populace took the alarm. About six thousand men, armed with swords and cudgels, flocked from the city, and surrounded the houses of parliament.⁷⁵ The names of the fifty-nine commons who had voted against the bill of attainder were posted up under the title of *Straffordians, and betrayers of their country*. These were exposed to all the insults of the ungovernable multitude. When any of the lords passed, the cry for *Justice against Strafford* resounded in their ears: and such as were suspected of friendship to that obnoxious minister, were sure to meet with menaces, not unaccompanied with symptoms of the most desperate resolutions in the furious populace.⁷⁶

Complaints in the house of commons being made against these violences as the most flagrant breach of privilege, the ruling members, by their affected coolness and indifference, showed plainly that the popular tumults were not disagreeable to them.⁷⁷ But a new discovery, made about this time, served to throw every thing into still greater flame and combustion.

Some principal officers, Piercy, Jermyn, O'Neale, Goring, Wilmot, Pollard, Ashburnham, partly attached to the court, partly disgusted with the parliament, had formed a plan of engaging into the king's service the English army, whom they observed to be displeased at some marks of preference given by the commons to the Scots. For this purpose they entered into an association, took an oath of secrecy, and kept a close correspondence with some of the king's servants. The form of a petition to the king and parliament was concerted; and it was intended to get this petition subscribed by the army. The petitioners there represent the

great and unexampled concessions made by the king for the security of public peace and liberty; the endless demands of certain insatiable and turbulent spirits, whom nothing less will content than a total subversion of the ancient constitution; the frequent tumults which these factious malcontents had excited, and which endangered the liberty of parliament. To prevent these mischiefs, the army offered to come up and guard that assembly. "So shall the nation," as they express themselves in the conclusion, "not only be vindicated from preceding innovations, but be secured from the future, which are threatened, and which are likely to produce more dangerous effects than the former."⁷⁵ The draught of this petition being conveyed to the king, he was prevailed on, somewhat imprudently, to countersign it himself, as a mark of his approbation. But, as several difficulties occurred, the project was laid aside two months before any public discovery was made of it.

It was Goring who betrayed the secret to the popular leaders. The alarm may easily be imagined which this intelligence conveyed. Petitions from the military to the civil power are always looked on as disguised, or rather undisguised commands; and are of a nature widely different from petitions presented by any other rank of men. Pym opened the matter in the house.⁷⁹ On the first intimation of a discovery, Piercy concealed himself, and Jermyu withdrew beyond sea. This farther confirmed the suspicion of a dangerous conspiracy. Goring delivered his evidence before the house: Piercy wrote a letter to his brother Northumberland, confessing most of the particulars.⁸⁰ Both their testimonies agree with regard to the oath of secrecy; and as this circumstance had been denied by Pollard, Ashburnham, and Wilmot, in all their examinations, it was regarded as a new proof of some desperate resolutions which had been taken.

To convey more quickly the terror and indignation at this plot, the commons voted, that a protestation should be signed by all the members. It was sent up to the lords, and signed by all of them, except Southampton and Roberts. Orders were given by the commons alone, without other authority, that it should be subscribed by the whole nation. The protestation was in itself very inoffensive, even insignificant; and contained nothing but general declarations, that the subscribers would defend their religion and liberties.⁸¹ But it tended to increase the popular panic, and intimidated, what was more expressly declared in the preamble, that these blessings were now exposed to the utmost peril.

Alarms were every day given of new conspiracies;⁸² in Lancashire, great multitudes of papists were assembling: secret meetings were

held by them in caves and under ground in Surrey: they had entered into a plot to blow up the river with gun-powder, in order to drown the city.⁸³ provisions of arms were making beyond sea: sometimes France, sometimes Denmark, was forming designs against the kingdom: and the populace, who are always terrified with present, and enraged with distant, dangers, were still farther animated in their demands of justice against the unfortunate Strafford.

The king came to the house of lords: and though he expressed his resolution, for which he offered them any security, never again to employ Strafford in any branch of public business, he professed himself totally dissatisfied with regard to the circumstance of treason, and on that account declared his difficulty in giving his assent to the bill of attainder.⁸⁴ The commons took fire, and voted it a breach of privilege for the king to take notice of any bill depending before the houses.* Charles did not perceive that his attachment to Strafford was the chief motive for the bill; and that the greater proofs he gave of anxious concern for this minister, the more inevitable did he render his destruction.

About eighty peers had constantly attended Strafford's trial; but such apprehensions were entertained on account of the popular tumults, that only forty-five were present when the bill of attainder was brought into the house. Yet of these, nineteen had the courage to vote against it.⁸⁵ A certain proof that if entire freedom had been allowed, the bill had been rejected by a great majority.

In carrying up the bill to the lords, St. John, the solicitor-general, advanced two topics, well suited to the fury of the times; that though the testimony against Strafford were not clear, yet, in this way of bill, private satisfaction to each man's conscience was sufficient, even should no evidence at all be produced; and that the earl had no title to plead law, because he had broken the law. It is true, added he, we give law to hares and deer; for they are beasts of chase. But it was never accounted either cruel or unfair to destroy foxes or wolves wherever they can be found, for they are beasts of prey.⁸⁶

After popular violence had prevailed over the lords, the same battery was next applied to force the king's assent. The populace flocked about Whitehall, and accompanied their demand of justice with the loudest clamours and most open menaces. Rumours of conspiracies against the parliament were anew spread abroad: invasions and insurrections talked of; and the whole nation was raised into such a ferment as threatened some great and imminent convulsion. On whichever side the king cast his eyes, he saw no resource or security. All his servants, consulting their own safety,

rather than their master's honour, declined interposing with their advice between him and his parliament. The queen, terrified with the appearance of so mighty a danger, and bearing formerly no good-will to Strafford, was in tears, and pressed him to satisfy his people in this demand, which, it was hoped, would finally content them. Juxon alone, whose courage was not inferior to his other virtues, ventured to advise him, if in his conscience he did not approve of the bill, by no means to assent to it.⁸⁷

Strafford, hearing of Charles's irresolution and anxiety, took a very extraordinary step: he wrote a letter, in which he entreated the king, for the sake of public peace, to put an end to his unfortunate, however innocent, life, and to quiet the tumultuous people by granting them the request for which they were so importunate.⁸⁸ "In this," added he, "my consent will more acquit you to God than all the world can do besides. To a willing man there is no injury. And as, by God's grace, I forgive all the world with a calmness and meekness, of infinite contentment to my dislodging soul; so, sir, to you I can resign the life of this world with all imaginable cheerfulness, in the just acknowledgment of your exceeding favours." Perhaps Strafford hoped that this unusual instance of generosity would engage the king still more strenuously to protect him: perhaps he gave his life for lost; and finding himself in the hands of his enemies, and observing that ⁸⁹Balfour, the lieutenant of the Tower, was devoted to the popular party,⁸⁹ he absolutely despaired of ever escaping the multiplied dangers with which he was every way environed. We might ascribe this step to a noble effort of disinterestedness, not unworthy the great mind of Strafford, if the measure which he advised had not been, in the event, as pernicious to his master as it was immediately fatal to himself. [See note (B) at the end of this Vol.]

After the most violent anxiety and doubt, Charles at last granted a commission to four noblemen to give the royal assent, in his name, to the bill: flattering himself, probably, in this extremity of distress, that, as neither his will consented to the deed, nor was his hand immediately engaged in it, he was the more free from all the guilt which attended it. These commissioners he empowered, at the same time, to give his assent to the bill which rendered the parliament perpetual.

The commons, from policy, rather than necessity, had embraced the expedient of paying the two armies by borrowing money from the city; and these loans they had repaid afterwards by taxes levied upon the people. The citizens, either of themselves or by suggestion, began to start difficulties with regard to a farther loan which was demanded. We make no scruple of trusting the parliament, said they,

were we certain that the parliament were to continue till our repayment. But, in the present precarious situation of affairs, what security can be given us for our money? In pretence of obviating this objection, a bill was suddenly brought into the house, and passed with great unanimity and rapidity, that the parliament should not be dissolved, prorogued, or adjourned, without their own consent. It was hurried in like manner through the house of peers, and was instantly carried to the king for his assent. Charles, in the agony of grief, shame, and remorse, for Strafford's doom, perceived not that this other bill was of still more fatal consequence to his authority, and rendered the power of his enemies perpetual, as it was already uncontrollable.⁹⁰ In comparison of the bill of attainder, by which he deemed himself an accomplice in his friend's murder, this concession made no figure in his eyes: [See note (C) at the end of this Vol.]—a circumstance which, if it lessen our idea of his resolution or penetration, serves to prove the integrity of his heart and the goodness of his disposition. It is indeed certain, that strong compunction for his consent to Strafford's execution attended this unfortunate prince during the remainder of his life; and even at his own fatal end, the memory of this guilt, with great sorrow and remorse, recurred upon him. All men were so sensible of the extreme violence which was done him, that he suffered the less both in character and interest from this unhappy measure; and though he abandoned his best friend, yet was he still able to preserve, in some degree, the attachment of all his adherents.

Secretary Carleton was sent by the king to inform Strafford of the final resolution which necessity had extorted from him. The earl seemed surprised, and starting up, exclaimed, in the words of scripture, *Put not your trust in princes, nor in the sons of men: for in them there is no salvation.*⁹¹ He was soon able, however, to collect his courage; and he prepared himself to suffer the fatal sentence. Only three days interval was allowed him. The king, who made a new effort in his behalf, and sent, by the hands of the young prince, a letter addressed to the peers, in which he entreated them to confer with the commons about a mitigation of Strafford's sentence, and begged at least for some delay, was refused in both requests.⁹²

EXECUTION OF STRAFFORD.

STRAFFORD, in passing from his apartment to Tower-hill, where the scaffold was erected, stopped under Laud's windows, with whom he had long lived in intimate friendship; and entreated the assistance of his prayers, in those awful moments which were approaching: the aged primate dissolved in tears; and having pronounced, with a broken voice, a tender

blessing on his departing friend, sunk into the arms of his attendants.⁹³ Strafford, still superior to his fate, moved on with an elated countenance, and with an air even of greater dignity than what usually attended him. He wanted that consolation which commonly supports those who perish by the stroke of injustice and oppression: he was not buoyed up by glory, nor by the affectionate compassion of the spectators. Yet his mind, erect and undaunted, found resources within itself, and maintained its unbroken resolution, amidst the terrors of death, and the triumphant exultations of his misguided enemies. His discourse on the scaffold was full of decency and courage. "He feared," he said, "that the omen was bad for the intended reformation of the state, that it commenced with the shedding of innocent blood." Having bid a last adieu to his brother and friends who attended him, and having sent a blessing to his nearer relations who were absent; "And now," said he, "I have nigh done! One stroke will make my wife a widow, my dear children fatherless, deprive my poor servants of their indulgent master, and separate me from my affectionate brother and all my friends! But let God be to you and them all in all!" Going to disrobe, and prepare himself for the block, "I thank God," said he, "that I am nowise afraid of death, nor am daunted with any terrors; but do as cheerfully lay down my head at this time, as ever I did when going to repose!" With one blow was a period put to his life by the executioner.⁹⁴

Thus perished, in the forty-ninth year of his age, the earl of Strafford, one of the most eminent personages that has appeared in England. Though his death was loudly demanded as a satisfaction to justice, and an atonement for the many violations of the constitution; it may safely be affirmed, that the sentence by which he fell, was an enormity greater than the worst of those which his implacable enemies prosecuted with so much cruel industry. The people in their rage had totally mistaken the proper object of their resentment. All the necessities, or, more properly speaking, the difficulties by which the king had been induced to use violent expedients for raising supply, were the result of measures previous to Strafford's favour; and if they arose from ill conduct, he at least was entirely innocent. Even those violent expedients themselves, which occasioned the complaint that the constitution was subverted, had been, all of them, conducted, so far as appeared, without his counsel or assistance. And whatever his private advice might be,⁹⁵ this salutary maxim he failed not, often and publicly, to inculcate in the king's presence, that, if any inevitable necessity ever obliged the sovereign to violate the laws, this licence ought to be practised with extreme reserve, and, as soon as possible,

a just atonement be made to the constitution, for any injury which it might sustain from such dangerous precedents.⁹⁶ The first parliament after the restoration reversed the bill of attainder; and even a few weeks after Strafford's execution, this very parliament remitted to his children the more severe consequences of his sentence: as if conscious of the violence with which the prosecution had been conducted.

In vain did Charles expect, as a return for so many instances of unbounded compliance, that the parliament would at last show him some indulgence, and would cordially fall into that unanimity, to which, at the expence of his own power, and of his friend's life, he so earnestly courted them. All his concessions were poisoned by their suspicion of his want of cordiality; and the supposed attempt to engage the army against them served with many as a confirmation of this jealousy. It was natural for the king to seek some resource, while all the world seemed to desert him, or combine against him; and this probably was the utmost of that embryo-scheme which was formed with regard to the army. But the popular leaders still insisted, that a desperate plot was laid to bring up the forces immediately, and offer violence to the parliament: a design of which Piercy's evidence acquits the king, and which the near neighbourhood of the Scottish army seems to render absolutely impracticable.⁹⁷ By means, however, of these suspicions, was the same implacable spirit still kept alive; and the commons, without giving the king any satisfaction in the settlement of his revenue, proceeded to carry their inroads with great vigour into his now defenceless prerogative.⁹⁸

HIGH COMMISSION AND STAR-CHAMBER ABOLISHED.

THE two ruling passions of this parliament were, zeal for liberty, and an aversion to the church; and to both of these nothing could appear more exceptionable than the court of high commission, whose institution rendered it entirely arbitrary, and assigned to it the defence of the ecclesiastical establishment. The star-chamber also was a court which exerted high discretionary powers; and had no precise rule or limit, either with regard to the causes which came under its jurisdiction, or the decisions which it formed. A bill unanimously passed the houses to abolish these two courts; and in them to annihilate the principal and most dangerous articles of the king's prerogative. By the same bill, the jurisdiction of the council was regulated, and its authority abridged.⁹⁹ Charles hesitated before he gave his assent. But finding that he had gone too far to retreat, and that he possessed no resource in case of a rupture, he at last affixed

the royal sanction to this excellent bill. But to show the parliament that he was sufficiently apprized of the importance of his grant, he observed to them, that this statute altered in a great measure the fundamental laws, ecclesiastical and civil, which many of his predecessors had established.¹⁰⁰

By removing the star-chamber, the king's power of binding the people by his proclamations was indirectly abolished; and that important branch of prerogative, the strong symbol of arbitrary power, and unintelligible in a limited constitution, being at last removed, left the system of government more consistent and uniform. The star-chamber alone was accustomed to punish infractions of the king's edicts: but as no courts of judicature now remained, except those in Westminster-hall, which take cognizance only of common and statute law, the king may thenceforth issue proclamations, but no man is bound to obey them. It must, however, be confessed, that the experiment here made by the parliament, was not a little rash and adventurous. No government at that time appeared in the world, nor is perhaps to be found in the records of any history, which subsisted without the mixture of some arbitrary authority, committed to some magistrate; and it might reasonably, beforehand, appear doubtful, whether human society could ever reach that state of perfection, as to support itself with no other control than the general and rigid maxims of law and equity. But the parliament justly thought, that the king was too eminent a magistrate to be trusted with discretionary power, which he might so easily turn to the destruction of liberty. And in the event it has hitherto been found, that, though some sensible inconveniences arise from the maxim of adhering strictly to law, yet the advantages overbalance them, and should render the English grateful to the memory of their ancestors, who, after repeated contests, at last established that noble though dangerous principle.

At the request of the parliament, Charles, instead of the patents during pleasure, gave all the judges patents during their good behaviour.¹⁰¹ a circumstance of the greatest moment towards securing their independency, and barring the entrance of arbitrary power into the ordinary courts of judicature.

The marshal's court, which took cognizance of offensive words, and was not thought sufficiently limited by law, was also, for that reason, abolished.¹⁰² The stannary courts, which exercised jurisdiction over the miners, being liable to a like objection, underwent a like fate. The abolition of the council of the north and the council of Wales followed from the same principles. The authority of the clerk of the market, who had a general inspection over the weights and measures

throughout the kingdom, was transferred to the mayors, sheriffs, and ordinary magistrates.

In short, if we take a survey of the transactions of this memorable parliament, during the first period of its operations, we shall find that, excepting Strafford's attainder, which was a complication of cruel iniquity, their merits in other respects so much outweigh their mistakes, as to entitle them to praise from all lovers of liberty. Not only were former abuses remedied, and grievances redressed: great provision, for the future, was made by law against the return of like complaints. And if the means by which they obtained such advantages savour often of artifice, sometimes of violence; it is to be considered, that revolutions of government cannot be effected by the mere force of argument and reasoning: and that factions, being once excited, men can neither so firmly regulate the tempers of others, nor their own, as to ensure themselves against all exorbitances.

KING'S JOURNEY TO SCOTLAND.

Aug. 8.

THE parliament now came to a pause. The king had promised his Scottish subjects, that he would this summer pay them a visit, in order to settle their government; and though the English parliament was very importunate with him, that he should lay aside that journey, they could not prevail with him so much as to delay it. As he must necessarily in his journey have passed through the troops of both nations, the commons seem to have entertained great jealousy on that account, and to have now hurried on, as much as they formerly delayed, the disbanding of the armies. The arrears therefore of the Scots were fully paid them; and those of the English in part. The Scots returned home, and the English were separated into their several counties, and dismissed.

After this the parliament adjourned (9th Sept.) to the twentieth of October; and a committee of both houses, a thing unprecedented, was appointed to sit during the recess with very ample powers.¹⁰³ Pym was elected chairman of the committee of the lower house. Farther attempts were made by the parliament, while it sat, and even by the commons alone, for assuming sovereign executive powers, and publishing their ordinances, as they called them, instead of laws. The committee too, on their part, was ready to imitate the example.

A small committee of both houses was appointed to attend the king into Scotland, in order, as was pretended, to see that the articles of pacification were executed; but really to be spies upon him, and extend still farther the ideas of parliamentary authority, as well as eclipse the majesty of the king. The earl of Bedford, lord Howard, sir Philip Stapleton,

sir William Armyne, Fiennes, and Hamlden,
were the persons chosen.¹⁰⁴

Endeavours were used, before Charles's departure, to have a protector of the kingdom appointed, with a power to pass laws without having recourse to the king. So little regard was now paid to royal authority, or to the established constitution of the kingdom.

Amidst the great variety of affairs which occurred during this busy period, we have

almost overlooked the marriage of the princess Mary with William prince of Orange. The king concluded not this alliance without communicating his intentions to the parliament, who received the proposal with satisfaction.¹⁰⁵ This was the commencement of the connections with the family of Orange: connections, which were afterwards attended with the most important consequences, both to the kingdom and to the house of Stuart.

NOTES.

- Clarendon, vol. i. p. 169.
2 Whitlocke, p. 36.
3 Whitlocke, p. 36.
4 Clarendon, vol. i. p. 172.
5 Clarendon, vol. i. p. 171.
6 Clarendon, vol. i. p. 177. Whitlocke, p. 36. Rushworth, vol. iii. p. 131.
7 Clarendon, vol. i. p. 177. Whitlocke, p. 36. Rushworth, vol. i. p. 129. 130.
8 Rushworth, vol. v. p. 122.
9 Clarendon, vol. i. p. 175. Whitlocke, p. 36.
10 Clarendon, vol. i. p. 175. Whitlocke, p. 36.
11 Whitlocke, p. 36.
12 Nalson, vol. i. p. 175.
13 An act of parliament.
14 The parliament.
15 The parliament.
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CHAPTER LV.

Settlement of Scotland.—Conspiracy in Ireland.—Insurrection and Massacre.—Meeting of the English Parliament.—The Remonstrance.—Reasons on both Sides.—Impeachment of the Bishops.—Accusation of the five Members.—Tumults.—King leaves London—arrives in York.—Preparations for Civil War.

THE Scots, who began these fatal commotions, thought that they had finished a very perilous undertaking, much to their profit and reputation. Besides the large pay voted them for lying in good quarters during a twelvemonth, the English parliament had conferred on them a present of three hundred thousand pounds for their brotherly assistance.¹ In the articles of pacification, they were declared to have ever been good subjects; and their military expeditions were approved of, as enterprises calculated and intended for his majesty's honour and advantage. To carry farther the triumph over their sovereign, the terms, so ignominious to him, were ordered, by a vote of parliament, to be read in all churches, upon a day of thanksgiving, appointed for the national pacification:² all their claims for the restriction of prerogative were agreed to be ratified: and what they more valued than all these advantages; they had a near prospect of spreading the presbyterian discipline in England and Ireland, from the seeds which they had scattered, of their religious principles. Never did refined Athens so exult in diffusing the sciences and liberal arts over a savage world; never did generous Rome so please herself in the view of law and order established by her victorious arms; as the Scots now rejoiced, in communicating their barbarous zeal and theological fervour to the neighbouring nations.

SETTLEMENT OF SCOTLAND. Aug. 11.

CHARLES, despoiled in England of a considerable part of his authority, and dreading still further encroachments upon him, arrived in Scotland, with an intention of abdicating almost entirely the small share of power which the English had left him, and of giving satisfaction to his restless subjects in that kingdom.

The lords of articles were an ancient institution in the Scottish parliament. They were constituted after this manner. The temporal lords chose eight bishops: the bishops elected eight temporal lords: these sixteen named eight commissioners of counties, and eight burgesses: and without the previous consent of the thirty-two, who were denominated lords of articles, no motion could be

made in parliament. As the bishops were entirely devoted to the court, it is evident that all the laws of articles, by necessary consequence, depended on the king's nomination; and the prince, besides one negative after the bills had passed through parliament, possessed indirectly another before their introduction; a prerogative of much greater consequence than the former. The bench of bishops being now abolished, the parliament laid hold of the opportunity, and totally set aside the lords of articles, and till this important point was obtained, the nation, properly speaking, could not be said to enjoy any regular freedom.³

It is remarkable that, notwithstanding this institution, to which there was no parallel in England, the royal authority was always deemed much lower in Scotland than in the former kingdom. Bacon represents it as one advantage to be expected from the union, that the too extensive prerogative of England would be abridged by the example of Scotland, and the too narrow prerogative of Scotland be enlarged from the imitation of England. The English were, at that time, a civilized people, and obedient to the laws: but among the Scots, it was of little consequence how the laws were framed, or by whom voted, while the exorbitant aristocracy had it so much in their power to prevent their regular execution.

The peers and commons formed only one house in the Scottish parliament: and as it had been the practice of James, continued by Charles, to grace English gentlemen with Scottish titles, all the determinations of parliament, it was to be feared, would in time depend upon the prince, by means of these votes of foreigners, who had no interest or property in the nation. It was therefore a law deserving approbation, that no man should be created a Scotch peer, who possessed not ten thousand marks (above five hundred pounds) of annual rent in the kingdom.⁴

A law for triennial parliaments was likewise passed; and it was ordained, that the last act of every parliament should be to appoint the time and place for holding the parliament next ensuing.⁵

The king was deprived of that power formerly exercised, of issuing proclamations, which enjoined obedience under the penalty of

treason. a prerogative which invested him with the whole legislative authority, even in matters of the highest importance.⁹

So far was laudable: But the most fatal blow given to royal authority, and what in a manner dethroned the prince, was the article, that no member of the privy council, in whose hands, during the king's absence, the whole administration lay, no officer of state, none of the judges, should be appointed, but by advice and approbation of parliament. Charles even agreed to deprive of their seats, four judges who had adhered to his interests; and their place was supplied by others more agreeable to the ruling party. Several of the covenanters were also sworn of the privy council. And all the ministers of state, counsellors, and judges, were, by law, to hold their places during life or good behaviour.⁷

The king, while in Scotland, conformed himself entirely to the established church; and assisted with great gravity at the long prayers and longer sermons with which the presbyterians endeavoured to regale him. He bestowed pensions and preferments on Henderson, Gillespy, and other popular preachers; and practised every art to soften, if not to gain, his greatest enemies. The earl of Argyle was created a marquis, lord London an earl, Lesley was dignified with the title of earl of Leven.⁸ His friends, he was obliged, for the present, to neglect and overlook: some of them were dis-
 id his enemies not ided; but ascribed all his caresses and favours to artifice and necessity.

Argyle and Hamilton, being seized with an apprehension, real or pretended, that the earl of Crawford and others meant to assassinate them, left the parliament suddenly, and returned into the country: but, upon invitation and assurances, returned in a few days. This event, which had neither cause nor effect that was visible, nor purpose, nor consequence, was commonly denominated the *incident*. But though the incident had no effect in Scotland; what was not expected, it was attended with
 England. The English parliament, which was now assembled, (20th Oct.) being willing to awaken the people's tenderness by exciting their fears, immediately took the alarm; as if the malignants, so they called the king's party, had laid a plot at once to murder them, and all the godly in both kingdoms. They applied, therefore, to Essex, whom the king had left general in the south of England, and he ordered a guard to attend them.⁹

But while the king was employed in pacifying the commotions in Scotland, and was preparing to return to England, in order to apply himself to the same salutary work in that kingdom; he received intelligence of a dangerous rebellion broken out in Ireland, with

circumstances of the utmost horror, bloodshed, and devastation. On every side this unfortunate prince was pursued with murmurs, discontent, faction, and civil wars; and the fire from all quarters, even by the most independent accidents, at once blazed up about him.

The great plan of James, in the administration of Ireland, continued by Charles, was, by justice and peace, to reconcile that turbulent people to the authority of laws, and introducing art and industry among them, to cure them of that sloth and barbarism to which they had ever been subject. In order to serve both these purposes, and at the same time secure the dominion of Ireland to the English crown, great colonies of British had been carried over, and, being intermixed with the Irish, had every where introduced a new face of things into that country. During a peace of near forty years, the inveterate quarrels between the nations seemed, in a great measure, to be obliterated; and though much of the landed property, forfeited by rebellion, had been conferred on the new planters, a more than equal return had been made by their instructing the natives in tillage, building, manufactures, and all the civilized arts of life.¹⁰ This had been the course of things during the successive administrations of Chichester, Gaudison, Falkland, and, above all, of Strafford. Under the government of this latter nobleman, the pacific plans, now come to greater maturity, and forwarded by his vigour and industry, seemed to have operated with full success, and to have bestowed, at last, on that savage country, the face of an European settlement.

After Strafford fell a victim to popular rage, the humours excited in Ireland by that great event could not suddenly be composed, but continued to produce the greatest innovations in the government.

The British protestants, transplanted into Ireland, having every moment before their eyes all the horrors of popery, had naturally been carried into the opposite extreme, and had universally adopted the highest principles and practices of the puritans. Monarchy, as well as the hierarchy, was become odious to them; and every method of limiting the authority of the crown, and detaching themselves from the king of England, was greedily adopted and pursued. They considered not, that as they scarcely formed the sixth part of the people, and were servily obnoxious to the ancient inhabitants, their only method of supporting themselves was by maintaining royal authority, and preserving a great dependence on their mother-country. The English commons, likewise, in their furious persecution of Strafford, had overlooked the most obvious consequences; and while they imputed to him, as a crime, every discretionary act of authority, they despoiled all succeeding governors of that

power, by which alone the Irish could be retained in subjection. And so strong was the current for popular government in all the three kingdoms, that the most established maxims of policy were every where abandoned, in order to gratify this ruling passion.

Charles, unable to resist, had been obliged to yield to the Irish, as to the Scottish and English parliaments; and found too, that their encroachments still rose in proportion to his concessions. Those subsidies, which themselves had voted, they reduced, by a subsequent vote, to a fourth part: the court of high commission was determined to be a grievance: martial law abolished: the jurisdiction of the council annihilated: proclamations and acts of state declared of no authority: every order or institution, which depended on monarchy, was invaded; and the prince was despoiled of all his prerogative, without the least pretext of any violence or illegality in his administration.

The standing army of Ireland was usually about three thousand men; but in order to assist the king in suppressing the Scottish covenanters, Strafford had raised eight thousand more, and had incorporated with them a thousand men, drawn from the old army; a necessary expedient for bestowing order and discipline on the new levied soldiers. The private men in this army were all catholics; but the officers, both commission and non-commission, were protestants, and could entirely be depended on by Charles. The English commons entertained the greatest apprehensions on account of this army; and never ceased soliciting the king, till he agreed to break it: nor would they consent to any proposal for augmenting the standing army to five thousand men; a number which the king deemed necessary for retaining Ireland in obedience.

Charles, thinking it dangerous that eight thousand men accustomed to idleness, and trained to the use of arms, should be dispersed among a nation so turbulent and unsettled, agreed with the Spanish ambassador to have them transported into Flanders, and enlisted in his master's service. The English commons, pretending apprehensions, lest regular bodies of troops, disciplined in the Low Countries, should prove still more dangerous, showed some aversion to this expedient; and the king reduced his allowance to four thousand men. But when the Spaniards had hired ships for transporting these troops, and the men were ready to embark; the commons, willing to show their power, and not displeased with an opportunity of curbing and affronting the king, prohibited every one from furnishing vessels for that service. And thus the project, formed by Charles, of freeing the country from these men was unfortunately disappointed.

The old Irish remarked all these false steps

of the English, and resolved to take advantage of them. Though their animosity against that nation, for want of an occasion to exert itself, seemed to be extinguished, it was only composed into a temporary and deceitful tranquillity.¹² Their interests, both with regard to *property* and *religion*, secretly stimulated them to a revolt. No individual of any sept, according to the ancient customs, had the property of any particular estate; but as the whole sept had a title to a whole territory, they ignorantly preferred this barbarous community before the more secure and narrower possessions assigned them by the English. An indulgence, amounting almost to a toleration, had been given to the catholic religion: but so long as the churches and the ecclesiastical revenues were kept from the priests, and they were obliged to endure the neighbourhood of profane heretics, being themselves discontented, they continually endeavoured to retard any cordial reconciliations between the English and Irish nations.

CONSPIRACY IN IRELAND.

THERE was a gentleman called Roger More, who, though of a narrow fortune, was descended from an ancient Irish family, and was much celebrated among his countrymen for valour and capacity. This man first formed the project of expelling the English, and asserting the independency of his native country.¹³ He secretly went from chieftain to chieftain, and roused up every latent principle of discontent. He maintained a close correspondence with lord Maguire and sir Phelim O'Neale, the most powerful of the old Irish. By conversation, by letters, by his emissaries, he represented to his countrymen the motives of a revolt. He observed to them, that by the rebellion of the Scots, and factions of the English, the king's authority in Britain was reduced to so low a condition, that he never could exert himself with any vigour in maintaining the English dominion over Ireland; that the catholics, in the Irish house of commons, assisted by the protestants, had so diminished the royal prerogative, and the power of the lieutenant, as would much facilitate the conducting, to its desired effect, any conspiracy or combination which could be formed; that the Scots having so successfully thrown off dependence on the crown of England, and assumed the government into their own hands, had set an example to the Irish, who had so much greater oppressions to complain of; that the English planters, who had expelled them their possessions, suppressed their religion, and bereaved them of their liberties, were but a handful in comparison of the natives; that they lived in the most supine security, interspersed with their numerous enemies trusting to the protection

of a small army, which was itself scattered in inconsiderable divisions throughout the whole kingdom; that a great body of men, disciplined by the government, were now thrown loose, and were ready for any daring or desperate enterprise; that though the catholics had hitherto enjoyed, in some tolerable measure, the exercise of their religion, from the moderation of their indulgent prince, they must henceforth expect, that the government will be conducted by other maxims and other principles; that the puritanical parliament, having at length subdued their sovereign, would, no doubt, as soon as they had consolidated their authority, extend their ambitious enterprises to Ireland, and make the catholics in that kingdom feel the same furious persecution to which their brethren in England were at present exposed; and that a revolt in the Irish, tending only to vindicate their native liberty against the violence of foreign invaders, could never, at any time, be deemed rebellion; much less during the present confusions, when their prince was, in a manner, a prisoner, and obedience must be paid, not to him, but to those who had traiterously usurped his lawful authority.¹⁴

By these considerations, More engaged all the heads of the native Irish into the conspiracy. The English of the pale, as they were called, or the old English planters, being all catholics, it was hoped would afterwards join the party, which restored their religion to its ancient splendour and authority. The intention was, that sir Phelim O'Neale and the other conspirators should begin an insurrection on one day throughout the provinces, and should attack all the English settlements; and that, on the same day, lord Maguire and Roger More should surprise the castle of Dublin. The commencement of the revolt was fixed on the approach of winter, that there might be more difficulty in transporting forces from England. Succours to themselves and supplies of arms they expected from France, in consequence of a promise made them by cardinal Richelieu. And many Irish officers, who served in the Spanish troops, had engaged to join them, as soon as they saw an insurrection entered upon by their catholic brethren. News, which every day arrived from England, of the fury expressed by the commons against all papists, struck fresh terror into the Irish nation, and both stimulated the conspirators to execute their fatal purpose, and gave them assured hopes of the concurrence of all their countrymen.¹⁵

Such propensity to a revolt was discovered in all the Irish, that it was deemed unnecessary, as it was dangerous, to intrust the secret to many hands; and the appointed day drew nigh, nor had any discovery been yet made to the government. The king, indeed, had received information from his ambassadors, that

something was in agitation among the Irish in foreign parts; but though he gave warning to the administration in Ireland, the intelligence was entirely neglected.¹⁶ Secret rumours likewise were heard of some approaching conspiracy; but no attention was paid to them. The earl of Leicester, whom the king had appointed lieutenant, remained in London. The two justices, sir William Parsons and sir John Borlace, were men of small abilities; and, by an inconvenience common to all factious times, owed their advancement to nothing but their zeal for the party by whom every thing was now governed. Tranquil from their ignorance and inexperience, these men indulged themselves in the most profound repose, on the very brink of destruction.

But they were awakened from their security, on the very day before that which was appointed for the commencement of hostilities. The castle of Dublin, by which the capital was commanded, contained arms for ten thousand men, with thirty-five pieces of cannon, and a proportionable quantity of ammunition: yet was this important place guarded, and that too without any care, by no greater force than fifty men. Maguire and More were already in town with a numerous band of their partisans: others were expected that night: and, next morning, they were to enter upon, what they esteemed the easiest of all enterprises, the surprisal of the castle. O'Conolly, an Irishman, but a protestant, betrayed the conspiracy to Parsons.¹⁷ The justices and council fled immediately for safety into the castle, and reinforced the guards. The alarm was conveyed to the city, and all the protestants prepared for defence. More escaped; Maguire was taken; and Mahone, one of the conspirators, being likewise seized, first discovered to the justices the project of a general insurrection, and redoubled the apprehensions which already were universally diffused throughout Dublin.¹⁸

IRISH INSURRECTION AND MASSACRE.

BUT though O'Conolly's discovery saved the castle from a surprise, the confession extorted from Mahone came too late to prevent the intended insurrection. O'Neale and his confederates had already taken arms in Ulster. The Irish, every where intermingled with the English, needed but a hint from their leaders and priests to begin hostilities against a people whom they hated on account of their religion, and envied for their riches and prosperity.¹⁹ The houses, cattle, goods, of the unwary English were first seized. Those who heard of the commotions in their neighbourhood, instead of deserting their habitations, and assembling for mutual protection, remained at home, in hopes of defending their property, and fell thus separately into the hands of their enemies.²⁰ After

rapacity had fully exerted itself, cruelty, and the most barbarous that ever, in any nation, was known or heard of, began its operations. An universal massacre commenced of the English, now defenceless, and passively resigned to their inhuman foes. No age, no sex, no condition was spared. The wife weeping for her butchered husband, and embracing her helpless children, was pierced with them, and perished by the same stroke.²¹ The old, the young, the vigorous, the infirm, underwent a like fate, and were confounded in one common ruin. In vain did flight save from the first assault: destruction was, every where, let loose, and met the hunted victims at every turn. In vain was recourse had to relations, to companions, to friends: all connexions were dissolved, and death was dealt by that hand, from which protection was implored and expected. Without provocation, without opposition, the astonished English, living in profound peace and full security, were massacred by their nearest neighbours, with whom they had long upheld a continual intercourse of kindness and good offices.²²

But death was the slightest punishment inflicted by those rebels: all the tortures which wanton cruelty could devise, all the lingering pains of body, the anguish of mind, the agonies of despair, could not satiate revenge excited without injury, and cruelty derived from no cause. To enter into particulars would shock the least delicate humanity. Such enormities, though attested by undoubted evidence, appear almost incredible. Depraved nature, even perverted religion, encouraged by the utmost licence, reach not to such a pitch of ferocity; unless the pity inherent in human breasts be destroyed by that contagion of example, which transports men beyond all the usual motives of conduct and behaviour.

The weaker sex themselves, naturally tender to their own sufferings, and compassionate to those of others, here emulated their more robust companions in the practice of every cruelty.²³ Even children, taught by the example, and encouraged by the exhortation of their parents, essayed their feeble blows on the dead carcases or defenceless children of the English.²⁴ The very avarice of the Irish was not a sufficient restraint of their cruelty. Such was their frenzy, that the cattle which they had seized, and by rapine made their own, yet, because they bore the name of English, were wantonly slaughtered, or, when covered with wounds, turned loose into the woods and deserts.²⁵

The stately buildings or commodious habitations of the planters, as if upbraiding the sloth and ignorance of the natives, were consumed with fire, or laid level with the ground. And where the miserable owners, shut up in their houses, and preparing for defence, pe-

rished in the flames, together with their wives and children, a double triumph was afforded to their insulting foes.²⁶

If any where a number assembled together, and, assuming courage from despair, were resolved to sweeten death by revenge on their assassins, they were disarmed by capitulations, and promises of safety, confirmed by the most solemn oaths. But no sooner had they surrendered, than the rebels, with perfidy equal to their cruelty, made them share the fate of their unhappy countrymen.²⁷

Others, more ingenious still in their barbarity, tempted their prisoners by the fond love of life, to embrace their hands in the blood of friends, brothers, parents; and having thus rendered them accomplices in guilt, gave them that death, which they sought to shun by deserting it.²⁸

Amidst all these enormities, the sacred name of RELIGION resounded on every side; not to stop the hands of these murderers, but to enforce their blows, and to steel their hearts against every movement of human or social sympathy. The English, as heretics, abhorred of God, and detestable to all holy men, were marked out by the priests for slaughter; and, of all actions, to rid the world of these declared enemies to catholic faith and piety, was represented as the most meritorious.²⁹ Nature, which, in that rude people, was sufficiently inclined to atrocious deeds, was further stimulated by precept; and national prejudices empoisoned by those aversions, more deadly and incurable, which arose from an enraged superstition. While death finished the sufferings of each victim, the bigoted assassins, with joy and exultation, still echoed in his expiring ears, that these agonies were but the commencement of torments infinite and eternal.³⁰

Such were the barbarities, by which sir Phelim O'Neale and the Irish in Ulster signalized their rebellion: an event, memorable in the annals of human kind, and worthy to be held in perpetual detestation and abhorrence. The generous nature of More was shocked at the recital of such enormous cruelties. He flew to O'Neale's camp; but found that his authority, which was sufficient to excite the Irish to an insurrection, was too feeble to restrain their inhumanity. Soon after, he abandoned a cause polluted by so many crimes; and he retired into Flanders. Sir Phelim, recommended by the greatness of his family, and perhaps too, by the unrestrained brutality of his nature, though without any courage or capacity, acquired the entire ascendancy over the northern rebels.³¹ The English colonies were totally annihilated in the open country of Ulster: the Scots, at first, met with more favourable treatment. In order to engage them to a passive neutrality, the Irish pretended to distinguish between the British nations; and

claiming friendship and consanguinity with the Scots, extended not over them the fury of their massacres. Many of them found an opportunity to fly the country: others retired into places of security, and prepared themselves for defence: and by this means, the Scottish planters, most of them at least, escaped with their lives.³²

From Ulster, the flames of rebellion diffused themselves in an instant over the other three provinces of Ireland. In all places death and slaughter were not uncommon; though the Irish, in these other provinces, pretended to act with moderation and humanity. But cruel and barbarous was their humanity! Not content with expelling the English their houses, with despoiling them of their goodly manors, with wasting their cultivated fields; they stripped them of their very clothes, and turned them out, naked and defenceless, to all the severities of the season.³³ The heavens themselves, as if conspiring against that unhappy people, were armed with cold and tempest unusual to the climate, and executed what the merciless sword had left unfinished.³⁴ The roads were covered with crowds of naked English, hastening towards Dublin, and the other cities, which yet remained in the hands of their countrymen. The feeble age of children, the tender sex of women, soon sunk under the multiplied rigours of cold and hunger. Here, the husband, bidding a final adieu to his expiring family, envied them that fate which he himself expected so soon to share: there, the son, having long supported his aged parent, with reluctance obeyed his last commands, and, abandoning him in his uttermost distress, reserved himself to the hopes of avenging that death, which all his efforts could not prevent or delay. The astonishing greatness of the calamity deprived the sufferers of any relief from the view of companions in affliction. With silent tears, or lamentable cries, they hurried on through the hostile territories; and found every heart which was not steel'd by native barbarity, guarded by the more implacable furies of mistaken piety and religion.³⁵

The saving of Dublin preserved in Ireland the remains of the English name. The gates of that city, though timorously opened, received the wretched supplicants, and presented to the view a scene of human misery beyond what any eye had ever before beheld.³⁶ Compassion seized the amazed inhabitants, aggravated with the fear of like calamities; while they observed the numerous foes without and within, which every where environed them, and reflected on the weak resources by which they were themselves supported. The more vigorous of the unhappy fugitives, to the number of three thousand, were enlisted into three regiments: the rest were distributed into the houses; and all care was taken, by diet and

warmth, to recruit their feeble and torpid limbs. Diseases of unknown name and species, derived from these multiplied distresses, seized many of them, and put a speedy period to their lives: others, having now leisure to reflect on their mighty loss of friends and fortune, cursed that being which they had saved. Abandoning themselves to despair, refusing all succour, they expired; without other consolation than that of receiving among their countrymen the honours of a grave, which, to their slaughtered companions, had been denied by the inhuman barbarians.³⁷

By some computations, those who perished by all these cruelties are supposed to be a hundred and fifty, or two hundred thousand: by the most moderate, and probably the most reasonable account, they are made to amount to forty thousand; if this estimation itself be not, as is usual in such cases, somewhat exaggerated.

The justices ordered to Dublin all the bodies of the army which were not surrounded by the rebels; and they assembled a force of fifteen hundred veterans. They soon enlisted, and armed from the magazines, above four thousand men more. They dispatched a body of six hundred men to throw relief into Tredah, besieged by the Irish. But these troops, attacked by the enemy, were seized with a panic, and were most of them put to the sword. Their arms, falling into the hands of the Irish, supplied them with what they most wanted.³⁸ The justices, willing to foment the rebellion, in a view of profiting by the multiplied forfeitures, henceforth thought of nothing more than providing for their own present security, and that of the capital. The earl of Ormonde, their general, remonstrated against such timid, not to say base and interested counsels; but was obliged to submit to authority.

The English of the pale, who probably were not at first in the secret, pretended to blame the insurrection, and to detest the barbarity with which it was accompanied.³⁹ By their protestations and declarations; they engaged the justices to supply them with arms, which they promised to employ in defence of the government.⁴⁰ But in a little time, the interests of religion were found more prevalent over them, than regard and duty to their mother-country. They chose lord Gormanstone their leader; and, joining the old Irish, rivalled them in every act of violence towards the English protestants. Besides many smaller bodies dispersed over the kingdom, the principal army of the rebels amounted to twenty thousand men, and threatened Dublin with an immediate siege.⁴¹

Both the English and Irish rebels conspired in one imposture, with which they seduced many of their deluded countrymen: they pretended authority from the king and queen, but chiefly from the latter, for their insurrection;

and they affirmed, that the cause of their taking arms was to vindicate royal prerogative, now invaded by the puritanical parliament.⁴² Sir Phelim O'Neale, having found a royal patent in lord Caulfield's house, whom he had murdered, tore off the seal, and affixed it to a commission which he had forged for himself.⁴³

The king received an account of this insurrection, by a messenger dispatched from the north of Ireland. He immediately communicated his intelligence to the Scottish parliament. He expected that the mighty zeal expressed by the Scots for the protestant religion would immediately engage them to fly to its defence, where it was so violently invaded: he hoped that their horror against popery, a religion which now appeared in its most horrible aspect, would second all his exhortations: he had observed with what alacrity they had twice run to arms, and assembled troops, in opposition to the rights of their sovereign: he saw with how much greater facility they could now collect forces, which had been very lately disbanded, and which had been so long enured to military discipline. The cries of their affrighted and distressed brethren in Ireland, he promised himself, would powerfully incite them to send over succours, which could arrive so quickly, and aid them with such promptitude in this uttermost distress. But the zeal of the Scots, as is usual among religious sects, was very feeble, when not stimulated either by faction or by interest. They now considered themselves entirely as a republic, and made no account of the authority of their prince, which they had utterly annihilated. Conceiving hopes from the present distresses of Ireland, they resolved to make an advantageous bargain for the succours with which they should supply their neighbouring nation. And they cast their eye towards the English parliament, with whom they were already so closely connected, and who could alone fulfil any articles which might be agreed on. Except dispatching a small body to support the Scottish colonies in Ulster, they would, therefore, go no farther at present, than sending commissioners to London, in order to treat with that power, to whom the sovereign authority was now in reality transferred.⁴⁴

The king too, sensible of his utter inability to subdue the Irish rebels, found himself obliged, in this exigency, to have recourse to the English parliament, and depend on their assistance for supply. After communicating to them the intelligence which he had received, he informed them, that the insurrection was not, in his opinion, the result of any rash enterprise, but of a formed conspiracy against the crown of England. To their care and wisdom, therefore, he said, he committed the conduct and prosecution of the war, which, in a cause so important to national and religious

interests, must of necessity be immediately entered upon, and vigorously pursued.⁴⁵

MEETING OF THE ENGLISH PARLIAMENT.

THE English parliament was now assembled; and discovered, in every vote, the same dispositions in which they had separated. The exalting of their own authority, the diminishing of the king's, were still the objects pursued by the majority. Every attempt which had been made to gain the popular leaders, and by offices to attach them to the crown, had failed of success, either for want of skill in conducting it, or by reason of the slender preferments which it was then in the king's power to confer. The ambitious and enterprising patriots disdained to accept, in detail, of a precarious power; while they deemed it so easy, by one bold and vigorous assault, to possess themselves for ever of the entire sovereignty. Sensible that the measures which they had hitherto pursued, rendered them extremely obnoxious to the king; were many of them in themselves exceptionable; some of them, strictly speaking, illegal; they resolved to seek their own security, as well as greatness, by enlarging popular authority in England. The great necessities to which the king was reduced; the violent prejudices which generally, throughout the nation, prevailed against him; his facility in making the most important concessions; the example of the Scots, whose encroachments had totally subverted monarchy: all these circumstances farther instigated the commons in their invasion of royal prerogative. And the danger to which the constitution seemed to have been so lately exposed, persuaded many, that it never could be sufficiently secured, but by the entire abolition of that authority which had invaded it.

But this project, it had not been in the power, scarcely in the intention, of the popular leaders to execute, had it not been for the passion which seized the nation for presbyterian discipline, and for the wild enthusiasm which at that time accompanied it. The license which the parliament had bestowed on this spirit, by checking ecclesiastical authority; the countenance and encouragement with which they had honoured it; had already diffused its influence to a wonderful degree: and all orders of men had drunk deep of the intoxicating poison. In every discourse or conversation, this mode of religion entered; in all business it had a share; every elegant pleasure or amusement; it utterly annihilated; many vices or corruptions of mind it promoted; even diseases and bodily distempers were not totally exempted from it; and it became requisite, we are told, for all physicians to be expert in the spiritual profession, and, by theological

considerations, to allay those religious terrors with which their patients were so generally haunted. Learning itself, which tends so much to enlarge the mind, and humanize the temper, rather served on this occasion to exalt that epidemical frenzy which prevailed. Rude as yet, and imperfect, it supplied the dismal fanaticism with a variety of views, founded it on some coherency of system, enriched it with different figures of eloquence; advantages with which a people, totally ignorant and barbarous, had been happily unacquainted.

From policy, at first, and elevation, now from necessity, the king attached himself extremely to the hierarchy: for like reasons, his enemies were determined, by one and the same effort, to overpower the church and monarchy.

While the commons were in this disposition, the Irish rebellion was the event which tended most to promote the views in which all their measures terminated. A horror against the papists, however innocent, they had constantly encouraged; a terror from the conspiracies of that sect, however improbable, they had at all times endeavoured to excite. There was broken out a rebellion, dreadful and unexpected; accompanied with circumstances the most detestable of which there ever was any record; and what was the peculiar guilt of the Irish catholics, it was no difficult matter, in the present disposition of men's minds, to attribute to that whole sect, who were already so much the object of general abhorrence. Accustomed, in all invectives, to join the prelatical party with the papists, the people immediately supposed the insurrection to be the result of their united counsels. And when they heard that the Irish rebels pladed the king's commission for all their acts of violence; bigotry, ever credulous and malignant, assented without scruple to that gross imposture, and loaded the unhappy prince with the whole enormity of a contrivance so barbarous and inhuman. [*See note (D.) at the end of this Vol.*]

By the difficulties and distresses of the crown, the commons, who possessed alone the power of supply, had aggrandized themselves; and it seemed a peculiar happiness, that the Irish rebellion had succeeded, at so critical a juncture, to the pacification of Scotland. That expression of the king's, by which he committed to them the care of Ireland, they immediately laid hold of, and interpreted in the most unlimited sense. They had, on other occasions, been gradually encroaching on the executive power of the crown, which forms its principal and most natural branch of authority; but, with regard to Ireland, they at once assumed it, fully and entirely, as if delivered over to them by a regular gift or assignment. And to this usurpation the king was obliged passively to submit; both because of his inability to resist, and lest he should still more expose himself to

the reproach of favouring the progress of that odious rebellion.

The project of introducing farther innovations in England being once formed by the leaders among the commons, it became a necessary consequence, that their operations with regard to Ireland should, all of them, be considered as subordinate to the former, on whose success, when once undertaken, their own grandeur, security, and even being, must entirely depend. While they pretended the ut-

terized against the Irish insurrection, they took care to show, as its supporters, but which as like wise tended to give them the superiority in those commonions which they foresaw must so soon be excited in England.¹⁰ The extreme contempt entertained for the natives in Ireland, made the popular leaders believe, that it would be easy at any time to suppress their rebellion, and recover that kingdom: nor were they willing to lose, by too hasty success, the advantage which that rebellion would afford them in their projected encroachments on the prerogative. By assuming the total management of the war, they acquired the courtship and dependence of every one who had any connexion with Ireland, or who was desirous of inhaling in these military enterprises: they levied money under pretence of the Irish expedition; but reserved it for purposes which concerned them more nearly: they took arms from the king's magazines: but still kept them with a secret intention of employing them against himself: whatever law they deemed necessary for aggrandizing themselves, was voted, under colour of enabling them to recover Ireland; and if Charles withheld the royal assent, his refusal was imputed to those pernicious counsels which had at first excited the popish rebellion, and which still threatened total destruction to the protestant interest throughout all his dominions.¹¹ And though no forces were for a long time sent over to Ireland, and very little money remitted during the extreme distress of that kingdom; so strong was the people's attachment to the commons, that the fault was never imputed to those pious zealots, whose votes breathed nothing but death and destruction to the Irish rebels.

To make the attack on royal authority by regular approaches, it was thought proper to frame a general remonstrance of the state of the nation; and accordingly, the committee, which, at the first meeting of parliament had been chosen for that purpose, and which had hitherto made no progress in their work, received fresh injunctions to finish that undertaking.

THE REMONSTRANCE.

THE committee brought into the house that remonstrance, which has become so memorable,

and which was soon afterwards attended with such important consequences. It was not addressed to the king; but was openly declared to be an appeal to the people. The harshness of the matter was equalled by the severity of the language. It consists of many gross falsehoods intermingled with some evident truths: malignant insinuations are joined to open invectives: loud complaints of the past, accompanied with jealous prognostications of the future. Whatever unfortunate, whatever invidious, whatever suspicious measures had been embraced by the king, from the commencement of his reign, is insisted on and aggravated with merciless rhetoric: the unsuccessful expeditions to Cadiz, and the isle of Rhé, are mentioned: the sending of ships to France for the suppression of the hugenots: the forced loans: the illegal confinement of men for not obeying illegal commands: the violent dissolution of four parliaments: the arbitrary government which always succeeded: the questioning, fining, and imprisoning of members for their conduct in the house: the levying of taxes without consent of the commons: the introducing of superstitious innovations into the church, without authority of law: in short, every thing which, either with or without reason, had given offence, during the course of fifteen years, from the accession of the king to the calling of the present parliament. And, though all these grievances had been already redressed, and even laws enacted for future security against their return, the praise of these advantages was ascribed, not to the king, but to the parliament who had extorted his consent to such salutary statutes. Their own merits too, they asserted, towards the king, were no less eminent than towards the people. Though they had seized his whole revenue, rendered it totally precarious, and made even their temporary supplies he paid to their own commissioners, who were independent of him; they pretended that they had liberally supported him in his necessities. By an insult still more egregious, the very giving of money to the Scots, for levying war against their sovereign, they represented as an instance of their duty towards him. And all their grievances, they said, which amounted to no less than a total subversion of the constitution, proceeded entirely from the formed combination of a popish faction, who had ever swayed the king's counsels, who had endeavoured, by an uninterrupted effort, to introduce their superstition into England and Scotland, and who had now, at last, excited an open and bloody rebellion in Ireland.⁴⁸

This remonstrance, so full of acrimony and violence, was a plain signal for some farther attacks intended on royal prerogative, and a declaration, that the concessions already made, however important, were not to be regarded

as satisfactory. What pretensions would be advanced, how unprecedented, how unlimited were easily imagined; and nothing less was foreseen, whatever ancient names might be preserved, than an abolition, almost total, of the monarchical government of England. The opposition, therefore, which the remonstrance met with in the house of commons, was great. For above fourteen hours, the debate was warmly managed; and from the weariness of the king's party, which probably consisted chiefly of the elderly people, and men of cool spirits, the vote was at last carried by a small majority of eleven.⁴⁹ Some time after (22nd Nov.), the remonstrance was ordered to be printed and published, without being carried up to the house of peers for their assent and concurrence.

REASONS ON BOTH SIDES.

WHEN this remonstrance was dispersed, it excited every where the same violent controversy, which attended it when introduced into the house of commons. This parliament, said the partisans of that assembly, have at length profited by the fatal example of their predecessors; and are resolved that the fabric, which they have generously undertaken to rear for the protection of liberty, shall not be left to future ages insecure and imperfect. At the time when the petition of right, that requisite vindication of a violated constitution, was extorted from the unwilling prince; who but imagined that liberty was at last secured, and that the laws would thenceforth maintain themselves in opposition to arbitrary authority? But what was the event? A *right* was indeed acquired to the people, or rather their ancient right was more exactly defined: but as the *power* of invading it still remained in the prince, no sooner did an opportunity offer, than he totally disregarded all laws and preceding engagements, and made his will and pleasure the sole rule of government. Those lofty ideas of monarchical authority, which he had derived from his early education, which are united in his mind with the irresistible illusions of self-love, which are corroborated by his mistaken principles of religion, it is in vain to hope that, in his more advanced age, he will sincerely renounce from any subsequent reflection or experience. Such conversions, if ever they happen, are extremely rare; but to expect that they will be derived from necessity, from the jealousy and resentment of antagonists, from blame, from reproach, from opposition, must be the result of the fondest and most blind credulity. These violences, however necessary, are sure to irritate a prince against limitations so cruelly imposed upon him; and each concession, which he is constrained to make, is regarded as a temporary tribute paid

to faction and sedition, and is secretly attended with a resolution of seizing every favourable opportunity to retract it. Nor should we imagine, that opportunities of that kind will not offer in the course of human affairs. Governments, especially those of a mixed kind, are in continual fluctuation: the humours of the people change perpetually from one extreme to another: and no resolution can be more wise, as well as more just, than that of employing the present advantages against the king, who had formerly pushed much less tempting ones to the utmost extremities against his people and his parliament. It is to be feared, that, if the religious rage which has seized the multitude be allowed to evaporate, they will quickly return to the ancient ecclesiastical establishment; and, with it, embrace those principles of slavery, which it inculcates with such zeal on its submissive proselytes. Those patriots, who are now the public idols, may then become the objects of general detestation; and equal shouts of joy attend their ignominious execution, with those which second their present advantages and triumphs. Nor ought the apprehension of such an event to be regarded in them as a selfish consideration: in their safety is involved the security of the laws: the patrons of the constitution cannot suffer without a fatal blow to the constitution: and it is but justice in the public to protect, at any hazard, those who have so generously exposed themselves to the utmost hazard for the public interest. What though monarchy, the ancient government of England, be impaired, during these contests, in many of its former prerogatives: the laws will flourish the more by its decay; and it is happy, allowing that matters are really carried beyond the bounds of moderation, that the current at least runs towards liberty, and that the error is on that side, which is safest for the general interest of mankind and society.

The best arguments of the royalists against a farther attack on the prerogative were founded more on opposite ideas, which they had formed of the past events of this reign, than on opposite principles of government. Some invasions, they said, and those too of moment, had undoubtedly been made on national privileges: but were we to look for the cause of these violences, we should never find it to consist in the wanton tyranny and injustice of the prince, not even in his ambition or immoderate appetite for authority. The hostilities with Spain, in which the king, on his accession, found himself engaged, however imprudent and unnecessary, had proceeded from the advice, and even importunity of the parliament; who deserted him immediately after they had embarked him in those warlike measures. A young prince, jealous of honour, was naturally afraid of being foiled in his first enterprise, and

had not as yet attained such maturity of counsel, as to perceive that his greatest honour lay in preserving the laws inviolate, and aiming the full confidence of his people. The rigour of the subsequent parliaments had been extreme with regard to many articles, particularly tonnage and poundage; and had reduced the king to an absolute necessity, if he would preserve entire the royal prerogative, of levying those duties by his own authority, and of breaking through the forms, in order to maintain the spirit, of the constitution. Having once made so perilous a step, he was naturally induced to continue, and to consult the public interest, by imposing ship-money, and other moderate, though irregular, burdens and taxations. A sure proof that he had formed no system for enslaving his people is, that the chief object of his government has been to raise a naval, not a military force; a project useful, honourable, nay indispensably requisite, and in spite of his great necessities, brought almost to a happy conclusion. It is now full time to free him from all these necessities, and to apply cordials and lenitives, after those severities, which have already had their full course against him. Never was sovereign blessed with more moderation of temper, with more justice, more humanity, more honour, or a more gentle disposition. What pity that such a prince should so long have been harassed with rigours, suspicions, calumnies, complaints, encroachments; and been forced from that path in which the rectitude of his principles would have inclined him to have constantly trod! If some few instances are found of violations made on the petition of right, which he himself had granted, there is an easier and more natural way for preventing the return of like inconveniences, than by a total abolition of royal authority. Let the revenue be settled, suitably to the ancient dignity and splendour of the crown; let the public necessities be fully supplied; let the remaining articles of prerogative be left untouched; and the king, as he has already lost the power, will lay aside the will, of invading the constitution. From what quarter can jealousies now arise? What farther security can be desired or expected? the king's preceding concessions, so far from being insufficient for public security, have rather erred on the other extreme; and, by depriving him of all power of self-defence, are the real cause why the commons are emboldened to raise pretensions hitherto unheard of in the kingdom, and to subvert the whole system of the constitution. But would they be content with moderate advantages, is it not evident that, besides other important concessions, the present parliament may be continued, till the government be accustomed to the new track, and every part be restored to full harmony and concord? By the

triennial act a perpetual succession of parliaments is established, as everlasting guardians to the laws, while the king possesses no independent power or military force, by which he can be supported in his invasion of them. No danger remains, but what is inseparable from all free constitutions, and what forms the very essence of their freedom: the danger of a change in the people's disposition, and of general disgust, contracted against popular privileges. To prevent such an evil, no expedient is more proper, than to contain ourselves within the bounds of moderation, and to consider that all extremes, naturally and infallibly, beget each other. In the same manner as the past usurpations of the crown, however excusable on account of the necessity or provocations whence they arose, have excited an immeasurable appetite for liberty; let us beware, lest our encroachments, by introducing anarchy, make the people seek shelter under the peaceable and despotic rule of a monarch. Authority, as well as liberty, is requisite to government; and is even requisite to the support of liberty itself, by maintaining the laws, which can alone regulate and protect it. What madness, while every thing is so happily settled under ancient forms and institutions, now more exactly poised and adjusted, to try the hazardous experiment of a new constitution, and renounce the mature wisdom of our ancestors for the crude whimsies of turbulent innovators! Besides the certain and inconceivable mischiefs of civil war; are not the perils apparent, which the delicate frame of liberty must inevitably sustain amidst the furious shock of arms? Whichever side prevails, *she* can scarcely hope to remain inviolate, and may suffer no less, or rather greater injuries from the boundless pretensions of forces engaged in her cause, than from the invasion of enraged troops, enlisted on the side of monarchy.

The king, upon his return from Scotland (25th Nov.) was received in London with the shouts and acclamations of the people, and with every demonstration of regard and affection.⁵⁰ Sir Richard Courmay, lord mayor, a man of moderation and authority, had promoted these favourable dispositions, and had engaged the populace, who so lately insulted the king, and who so soon after made furious war upon him, to give him these marks of their dutiful attachment. But all the pleasure which Charles reaped from this joyous reception, was soon damped by the remonstrance of the commons, which was presented him, together with a petition of a like strain. The bad counsels which he followed are there complained of; his concurrence in the Irish rebellion plainly insinuated; the scheme laid for the introduction of popery and superstition inveighed against; and, as a remedy for all

these evils, he is desired to intrust every office and command to persons in whom his parliament should have cause to confide.⁵¹ By this phrase, which is so often repeated in all the memorials and addresses of that time, the commons meant themselves and their adherents.

As soon as the remonstrance of the commons was published, the king dispersed an answer to it. In this contest he lay under great disadvantages. Not only the ears of the people were extremely prejudiced against him; the best topics, upon which he could justify, at least apologize for his former conduct, were such as it was not safe or prudent for him at this time to employ. So high was the national idolatry towards parliaments, that to blame the past conduct of these assemblies, would have been very ill received by the generality of the people. So loud were the complaints against regal usurpations, that, had the king asserted the prerogative of supplying, by his own authority, the deficiencies in government, arising from the obstinacy of the commons, he would have increased the clamours with which the whole nation already resounded. Charles, therefore, contented himself with observing in general, that even during that period so much complained of, the people enjoyed a great measure of happiness, not only comparatively, in respect of their neighbours, but even in respect of those times which were justly accounted the most fortunate. He made warm protestations of sincerity in the reformed religion; he promised indulgence to tender consciences with regard to the ceremonies of the church; he mentioned his great concessions to national liberty; he blamed infamous libels every where dispersed against his person and the national religion; he complained of the general reproaches thrown out in the remonstrance with regard to ill counsels, though he had protected no minister from parliamentary justice, retained no unpopular servant, and conferred offices on no one who enjoyed not a high character and estimation in the public. "If, notwithstanding this," he adds, "any malignant party shall take heart, and be willing to sacrifice the peace and happiness of their country to their own sinister ends and ambition, under whatever pretence of religion and conscience; if they shall endeavour to lessen my reputation and interest, and to weaken my lawful power and authority; if they shall attempt, by discountenancing the present laws, to loosen the bands of government, that all disorder and confusion may break in upon us; I doubt not but God in his good time will discover them to me, and that the wisdom and courage of my high court of parliament will join with me in their suppression and punishment."⁵² Nothing shows more evidently the hard

situation in which Charles was placed, than to observe, that he was obliged to confine himself within the limits of civility towards subjects who had transgressed all bounds of regard, and even of good manners, in the treatment of their sovereign.

The first instance of those parliamentary encroachments which Charles was now to look for, was the bill for pressing soldiers to the service of Ireland. This bill quickly passed the lower house. In the preamble, the king's power of pressing, a power exercised during all former times, was declared illegal, and contrary to the liberty of the subject. By a necessary consequence, the prerogative which the crown had ever assumed of obliging men to accept of any branch of public service, was abolished and annihilated—a prerogative, it must be owned, not very compatible with a limited monarchy. In order to elude this law, the king offered to raise ten thousand volunteers for the Irish service: but the commons were afraid lest such an army should be too much at his devotion. Charles, still unwilling to submit to so considerable a diminution of power, came to the house of peers, and offered to pass the law without the preamble; by which means, he said, that ill-timed question with regard to the prerogative would for the present be avoided, and the pretensions of each party be left entire. Both houses took fire at this measure, which, from a similar instance while the bill of attainder against Strafford was in dependence, Charles might foresee would be received with resentment. The lords, as well as commons, passed a vote, declaring it to be a high breach of privilege for the king to take notice of any bill which was in agitation in either of the houses, or to express his sentiments with regard to it, before it be presented to him for his assent in a parliamentary manner. The king was obliged to compose all matters by an apology.⁵¹

The general question, we may observe, with regard to privileges of parliament, has always been, and still continues, one of the greatest mysteries in the English constitution; and, in some respects, notwithstanding the accurate genius of that government, these privileges are at present as undetermined as were formerly the prerogatives of the crown. Such privileges as are founded on long precedent cannot be controverted: but though it were certain that former kings had not, in any instance, taken notice of bills lying before the houses (which yet appears to have been very common), it follows not, merely from their never exerting such a power, that they had renounced it, or never were possessed of it. Such privileges also as are essential to all free assemblies which deliberate, they may be allowed to assume, whatever precedents may prevail: but though the king's interposition, by an offer or advice,

does in some degree overawe or restrain liberty; it may be doubted whether it imposes such evident violence as to entitle the parliament, without any other authority or concession, to claim the privilege of excluding it. But this was the favourable time for extending privileges; and had none more exorbitant or unreasonable been challenged, few had consequences had followed. The establishment of this rule, it is certain, contributes to the order and regularity, as well as freedom, of parliamentary proceedings.

The interposition of peers in the election of commons was likewise about this time declared a breach of privilege; and continues ever since to be condemned by votes of the commons, and universally practised throughout the nation.

Every measure pursued by the commons, and, still more, every attempt made by their partisans, were full of the most inveterate hatred against the hierarchy, and showed a determined resolution of subverting the whole ecclesiastical establishment. Besides numberless vexations and persecutions which the clergy underwent from the arbitrary power of the lower house, the peers, while the king was in Scotland, having passed an order for the observance of the laws with regard to public worship, the commons assumed such authority, that, by a vote alone of their house, they suspended those laws, though enacted by the whole legislature: and they particularly forbade bowing at the name of Jesus; a practice which gave them the highest scandal, and which was one of their capital objections against the established religion.⁵² They complained of the king's filling five vacant sees, and considered it as an insult upon them, that he should complete and strengthen an order, which they intended soon entirely to abolish.⁵³ They had accused thirteen bishops of high treason, for enacting canons without consent of parliament,⁵⁴ though from the foundation of the monarchy no other method had ever been practised: and they now insisted that the peers, upon this general accusation, should sequester those bishops from their seats in parliament, and commit them to prison. Their bill for taking away the bishops' votes had last winter been rejected by the peers: but they again introduced the same bill, though no prorogation had intervened; and they endeavoured, by some minute alterations, to elude that rule of parliament which opposed them. And when they sent up this bill to the lords, they made a demand, the most absurd in the world, that the bishops, being all of them parties, should be refused a vote with regard to that question.⁵⁵ After the resolution was once formed by the commons, of invading the established government of church and state, it could not be expected that their proceedings, in such a violent

attempt, would thenceforth be altogether regular and equitable: but it must be confessed, that, in their attack on the hierarchy, they still more openly passed all bounds of moderation, as supposing, no doubt, that the sacredness of the cause would sufficiently atone for employing means the most irregular and unprecedented. This principle, which prevails so much among zealots, never displayed itself so openly as during the transactions of this whole period.

But, notwithstanding these efforts of the commons, they could not expect the concurrence of the upper house, either to this law, or to any other which they should introduce for the farther limitation of royal authority. The majority of the peers adhered to the king, and plainly foresaw the depression of nobility, as a necessary consequence of popular usurpations on the crown. The insolence, indeed, of the commons, and their haughty treatment of the lords, had already risen to a great height, and gave sufficient warning of their future attempts upon that order. They muttered somewhat of their regret that they should be obliged to save the kingdom alone, and that the house of peers would have no part in the honour. Nay, they went so far as openly to tell the lords, "That they themselves were the representative body of the whole kingdom, and that the peers were nothing but individuals, who held their seats in a particular capacity, and therefore, if their lordships will not consent to the passing of acts necessary for the preservation of the people, the commons, together with such of the lords as are more sensible of the danger, must join together, and represent the matter to his majesty."⁵⁸ So violent was the democratical, enthusiastic spirit diffused throughout the nation, that a total confusion of all rank and order was justly to be apprehended; and the wonder was not, that the majority of the nobles should seek shelter under the throne, but that any of them should venture to desert it. But the tide of popularity seized many, and carried them wide of the most established maxims of civil policy. Among the opponents of the king are ranked the earl of Northumberland, lord admiral, a man of the first family and fortune, and endowed with that dignified pride which so well became his rank and station: the earl of Essex, who inherited all his father's popularity, and having from his early youth sought renown in arms, united to a middling capacity that rigid inflexibility of honour which forms the proper ornament of a nobleman and a soldier: lord Kimbolton, soon after earl of Manchester, a person distinguished by humanity, generosity, affability, and every amiable virtue. These men, finding that their credit ran high with the nation, ventured to encourage those

popular disorders, which, they vainly imagined, they possessed authority sufficient to regulate and control.

In order to obtain a majority in the upper house, the commons had recourse to the populace, who on other occasions had done them such important service. Amidst the greatest security, they affected continual fears of destruction to themselves and the nation, and seemed to quake at every breath or rumour of danger. They again excited the people by never-ceasing inquiries after conspiracies, by reports of insurrections, by feigned intelligence of invasions from abroad, by discoveries of dangerous combinations at home among papists and their adherents. When Charles dismissed the guard which they had ordered during his absence, they complained; and, upon his promising them a new guard, under the command of the earl of Lindsey, they absolutely refused the offer, and were well pleased to insinuate, by this instance of jealousy, that their danger chiefly arose from the king himself.⁵⁹ They ordered halberts to be brought into the hall where they assembled, and thus armed themselves against those conspiracies with which they pretended they were hourly threatened. All stories of plots, however ridiculous, were willingly attended to, and were dispersed among the multitude, to whose capacity they were well adapted. Beale, a taylor, informed the commons, that, walking in the fields, he had hearkened to the discourse of certain persons unknown to him, and had heard them talk of a most dangerous conspiracy. A hundred and eight ruffians, as he learned, had been appointed to murder a hundred and eight lords and commoners, and were promised rewards for these assassinations, ten pounds for each lord, forty shillings for each commoner. Upon this notable intelligence, orders were issued for seizing priests and jesuits, a conference was desired with the lords, and the deputy-lieutenants of some suspected counties were ordered to put the people in a posture of defence.⁶⁰

The pulpits likewise were called in aid, and resounded with the dangers which threatened religion, from the desperate attempts of papists and malignants. Multitudes flocked towards Westminster, and insulted the prelates and such of the lords as adhered to the crown. The peers voted a declaration against those tumults, and sent it to the lower house; but these refused their concurrence.⁶¹ Some seditious apprentices, being seized and committed to prison, immediately received their liberty, by an order of the commons.⁶² The sheriffs and justices having appointed constables with strong watches to guard the parliament, the commons sent for the constables, and required them to discharge the watches, convened the justices, voted their orders a

breach of privilege, and sent one of them to the Tower.⁶³ Encouraged by these intimations of their pleasure, the populace crowded about Whitehall, and threw out insolent menaces against Charles himself. Several reduced officers and young gentlemen of the inns of court, during this time of disorder and danger, offered their service to the king. Between them and the populace there passed frequent skirmishes, which ended not without bloodshed. By way of reproach these gentlemen gave the rabble the appellation of *ROUND-HEADS*, on account of the short cropt hair which they wore: these called the others *CAVALIERS*. And thus the nation, which was before sufficiently provided with religion, as well as civil causes of quarrel, was also supplied with party-names, under which the factions might rendezvous, and signalize their mutual hatred.⁶⁴

IMPEACHMENT OF THE BISHOPS.

MEANWHILE the tumults still continued, and even increased about Westminster and Whitehall. The city incessantly resounded against *bishops and rotten-hearted lords*.⁶⁵ The former especially, being distinguishable by their habit, and being the object of violent hatred to all the sectaries, were exposed to the most dangerous insults.⁶⁶ Williams, now created archbishop of York, having been abused by the populace, hastily called a meeting of his brethren (27th Dec.) By his advice a protestation was drawn, and addressed to the king and the house of lords. The bishops there set forth, that though they had an undoubted right to sit and vote in parliament, yet in coming thither, they had been menaced, assaulted, affronted, by the unruly multitude, and could no longer with safety attend their duty in the house. For this reason they protested against all laws, votes, and resolutions, as null and invalid, which should pass during the time of their constrained absence. This protestation, which, though just and legal, was certainly ill-timed, was signed by twelve bishops, and communicated to the king, who hastily approved of it. As soon as it was presented to the lords, that house declared a conference with the commons, whom they informed of this unexpected protestation. The opportunity was seized with joy and triumph. An impeachment of high treason was immediately sent up against the bishops, as endeavouring to subvert the fundamental laws, and to invadate the authority of the legislature.⁶⁷ They were, on the first demand, sequestered from parliament, and committed to custody. No man, in either house, ventured to sneak a word in their vindication; so much displeased was every one at the egregious imprudence of which they had been guilty. One person alone

said, that he did not believe them guilty of high treason; but that they were stark mad, and therefore desired they might be sent to Bedlam.⁶⁸

1642. A few days after, the king was betrayed into another indiscretion, much more fatal—an indiscretion, to which all the ensuing disorders and civil wars ought immediately and directly to be ascribed. This was the impeachment of lord Kimbolton and the five members.

When the commons employed, in their remonstrance, language so severe and indecent, they had not been actuated entirely by insolence and passion: their views were more solid and profound. They considered, that in a violent attempt, such as an invasion of the ancient constitution, the more leisure was afforded the people to reflect, the less would they be inclined to second that rash and dangerous enterprise, that the peers would certainly refuse their concurrence, nor were there any hopes of prevailing on them, but by instigating the populace to tumult and disorder; that the employing of such odious means for so invidious an end, would, at long-run, lose them all their popularity, and turn the tide of favour to the contrary party; and that, if the king only remained in tranquillity, and cautiously eluded the first violence of the tempest, he would, in the end, certainly prevail, and be able at least to preserve the ancient laws and constitution. They were therefore resolved, if possible, to excite him to some violent passion; in hopes that he would commit indiscretions, of which they might make advantage.

It was not long before they succeeded beyond their fondest wishes. Charles was enraged to find that all his concessions but increased their demands; that the people, who were returning to a sense of duty towards him, were again roused to sedition and tumults; that the blackest calumnies were propagated against him, and even the Irish massacre ascribed to his counsels and machinations; and that a method of address was adopted, not only unsuitable towards so great a prince, but which no private gentleman could bear without resentment. When he considered all these increasing acts of insolence in the commons, he was apt to ascribe them, in a great measure, to his own indulgence and facility. The queen and the ladies of the court farther stimulated his passion, and represented, that, if he exerted the vigour, and displayed the majesty of a monarch, the daring usurpations of his subjects would shrink before him. Lord Digby, a man of fine parts, but full of levity, and hurried on by precipitate passions, suggested like counsels; and Charles, who, though commonly moderate in his temper, was ever disposed to hasty resolutions, gave way to the fatal importunity of his friends and servants.⁶⁹

ACCUSATION OF THE FIVE MEMBERS.

HERBERT, attorney general, appeared in the house of peers, and, in his majesty's name, entered an accusation of high treason against lord Kimbolton and five commoners, Hollis, sir Arthur Hazlerig, Hamblen, Pym, and Strode. The articles were, That they had traitorously endeavoured to subvert the fundamental laws and government of the kingdom, to deprive the king of his regal power, and to impose on his subjects an arbitrary and tyrannical authority; that they had endeavoured by many foul aspersions on his majesty and his government, to alienate the affections of his people, and make him odious to them; that they had attempted to draw his late army to disobedience of his royal commands, and to side with them in their traitorous designs; that they had invited and encouraged foreign power to invade the kingdom; that they had aimed at subverting the rights and very being of parliament; that, in order to complete their traitorous designs, they had endeavoured, as far as in them lay, by force and terror, to compel the parliament to join with them, and to that end, had actually raised and countenanced tumults against the king and parliament; and that they had traitorously conspired to levy, and actually had levied, war against the king.⁷¹

The whole world stood amazed at this important accusation, so suddenly entered upon, without concert, deliberation, or reflection. Some of these articles of accusation, men said, to judge by appearance, seem to be common between the impeached members and the parliament; nor did these persons appear any farther active in the emergencies of which they were accused, than so far as they concurred with the majority in their votes and speeches. Though proofs might, perhaps, be produced, of their privately inviting the Scots to invade England; how could such an attempt be considered as treason, after the act of oblivion which had passed, and after that both houses, with the king's concurrence, had voted that nation three hundred thousand pounds for their brotherly assistance! While the house of peers are scarcely able to maintain their independency, or to reject the bills sent them by the commons; will they ever be permitted by the populace, supposing them inclined, to pass a sentence, which must totally subdue the lower house, and put an end to their ambitious undertakings? These five members, at least Pym, Hamblen, and Hollis, are the very heads of the popular party; and if these be taken off, what fate must be expected by their followers, who are many of them accomplices in the same treason? The punishment of leaders is ever the last triumph over a broken and routed party; but surely was never

before attempted, in opposition to a faction, during the full tide of its power and success.

But men had not leisure to wonder at the indiscretion of this measure: their astonishment was excited by new attempts, still more precipitate and imprudent. A serjeant at arms, in the king's name, demanded of the house the five members; and was sent back without any positive answer. Messengers were employed to search for them and arrest them. Their trunks, chambers, and studies, were sealed and locked. The house voted all these acts of violence to be breaches of privilege, and commanded every one to defend the liberty of the members.⁷² The king, irritated by all this opposition, resolved next day to come in person to the house, with an intention to demand, perhaps seize, in their presence, the persons whom he had accused.

A resolution was offered to the countess of Carlisle, sister to Northumberland, a lady of spirit, wit, and intrigue.⁷³ She privately sent intelligence to the five members; and they had time to withdraw, a moment before the king entered. He was accompanied by his ordinary retinue to the number of above two hundred, armed as usual, some with halberds, some with walking swords. The king left them at the door, and he himself advanced alone through the hall, while all the members rose to receive him. The speaker withdrew from his chair, and the king took possession of it. The speech which he made was as follows: "Gentlemen, I am sorry for this occasion of coming to you. Yesterday, I sent a serjeant at arms, to demand some, who, by my order, were accused of high treason. Instead of obedience, I received a message. I must here declare to you, that, though no king that ever was in England could be more careful of your privileges than I shall be, yet in cases of treason no person has privilege. Therefore am I come to tell you, that I must have these men where-ever I can find them. Well, since I see all the birds are flown, I do expect that you will send them to me as soon as they return. But I assure you, on the word of a king, I never did intend any force, but shall proceed against them in a fair and legal way: for I never meant any other. And now since I see I cannot do what I came for, I think this is no unfit occasion to repeat what I have said formerly, that whatever I have done in favour and to the good of my subjects, I do intend to maintain it."⁷⁴

When the king was looking around for the accused members, he asked the speaker, who stood below, whether any of these persons were in the house? The speaker, falling on his knee, prudently replied: "I have, sir, neither eyes to see, nor tongue to speak, in this place, but as the house is pleased to direct me, whose servant I am. And I humbly ask

pardon, that I cannot give any other answer to what your majesty is pleased to demand of me."⁷⁴

The commons were in the utmost disorder; and, when the king was departing, some members cried aloud, so as he might hear them, *Privilege! privilege!* And the house immediately adjourned till next day.⁷⁵

That evening, the accused members, to show the greater apprehension, removed into the city, which was their fortress. The citizens were the whole night in arms. Some people, who were appointed for that purpose, or perhaps actuated by their own terrors, ran from gate to gate, crying out, that the cavaliers were coming to burn the city, and that the king himself was at their head.

Next morning Charles sent to the mayor, and ordered him to call a common-council immediately. About ten o'clock, he himself, attended only by three or four lords, went to Guildhall. He told the common-council, that he had appointed him to be appointed; that he was come to them without any guard, in order to show how much he relied on their affections; and that he had accused certain men of high treason, against whom he would proceed in a legal way, and therefore presumed that they would not meet with protection in the city. After many other gracious expressions, he told one of the sheriffs, who of the two was thought the least inclined to his service, that he would dine with him. He departed the hall without receiving the applause which he expected. In passing through the streets, he heard the cry, *Privilege of parliament! privilege of parliament!* resounding from all quarters. One of the populace, more insolent than the rest, drew nigh to his coach, and called out with a loud voice, *To your tents, O Israel!* the words employed by the mutinous Israelites, when they abandoned Rehoboam, their rash and ill-counselled sovereign.⁷⁶

When the house of commons met, they affected the greatest dismay; and adjourning themselves to the Merchant-Tailors hall in the city. The committee made an exact inquiry into all circumstances attending the king's entry into the house: every passionate speech, every menacing gesture of any, even the meanest, of his attendants, was recorded and aggravated. An intention of offering violence to the parliament, of seizing the accused members in the very house, and of murdering all who should make resistance, was inferred. And that unparalleled breach of privilege, so it was called, was still ascribed to the counsel of papists and their adherents. This expression, which then recurred every moment in speeches and memorials, and which at present is so apt to excite laughter in the reader, began at that

time the deepest and most real consternation throughout the kingdom.

A letter was pretended to be intercepted, and was communicated to the committee, who pretended to lay great stress upon it. One catholic there congratulates another on the accusation of the members; and represents that incident as a branch of the same pious contrivance, which had excited the Irish insurrection, and by which the profane heretics would soon be exterminated in England.⁷⁷

The house again met, and after confirming the votes of their committee, instantly adjourned, as if exposed to the most imminent perils from the violence of their enemies. This practice they continued for some time. When the people, by these affected panics, were wrought up to a sufficient degree of rage and terror, it was thought proper, that the accused members should, with a triumphant and military procession, take their seats in the house. The river was covered with boats, and other vessels, laden with small pieces of ordnance, and prepared for fight. Skippon, whom the parliament had appointed, by their own authority, major-general of the city-militia,⁷⁸ conducted the members, at the head of this tumultuary army, to Westminster-hall. And when the populace, by land and by water, passed Whitehall, they still asked with insulting shouts, *What has become of the king and his cavaliers? And what are they fled?*⁷⁹

THE KING LEAVES LONDON.

THE king, apprehensive of danger from the enraged multitude, had retired to Hampton-court, deserted by all the world, and overwhelmed with grief, shame, and remorse, for the fatal measures into which he had been hurried. His distressed situation he could no longer ascribe to the rigours of destiny, or the malignity of enemies: his own precipitancy and indiscretion must bear the blame of whatever disasters should henceforth befall him. The most faithful of his adherents, between sorrow and indignation, were confounded with reflections on what had happened, and what was likely to follow. Seeing every prospect blasted, faction triumphant, the discontented populace inflamed to a degree of fury, they utterly despaired of success in a cause to whose ruin friends and enemies seemed equally to conspire.

The prudence of the king in his conduct of this affair nobody pretended to justify. The legality of his proceedings met with many and just apologies; though generally offered to unwilling ears. Nomination of law, it was said, is more established or more universally allowed, than that privilege of parliament extends not to treason, felony, or breach of peace; nor

has either house, during former ages, ever pretended in any of those cases to interpose in behalf of its members. Though some inconveniences should result from the observance of this maxim; that would not be sufficient, without other authority, to abolish a principle established by uninterrupted precedent, and founded on the tacit consent of the whole legislature. But what are the inconveniences so much dreaded? The king, on pretence of treason, may seize any members of the opposite faction, and, for a time, gain to his partisans the majority of votes. But if he seize only a few; will he not lose more friends by such a gross artifice than he confines enemies? If he seize a great number; is not this expedient force, open and barefaced? And what remedy at all times against such force, but to oppose to it a force which is superior? Even allowing that the king intended to employ violence, not authority, for seizing the members; though at that time, and ever afterwards, he positively asserted the contrary; yet will his conduct admit of excuse. That the hall, where the parliament assembles, is an inviolable sanctuary, was never yet pretended. And if the commons complain of the affront offered them, by an attempt to arrest their members in their very presence; the blame must lie entirely on themselves, who had formerly refused compliance with the king's message, when he peaceably commanded these members. The sovereign is the great executor of the laws; and his presence was here legally employed, both in order to prevent opposition, and to protect the house against those insults which their disobedience had so well merited.

Charles knew to how little purpose he should urge these reasons against the present fury of the commons. He proposed, therefore, by a message, that they would agree upon a legal method, by which he might carry on his prosecution against the members, lest farther misunderstandings happen with regard to privilege. They desired him to lay the grounds of accusation before the house; and pretended that they must first judge whether it were proper to give up their members to a legal trial. The king then informed them, that he would waive for the present all prosecution: by successive messages, he afterwards offered a pardon to the members; offered to concur in any law that should acquit or secure them; offered any reparation to the house for the breach of privilege, of which, he acknowledged, they had reason to complain.⁸⁰ They were resolved to accept of no satisfaction, unless he would discover his advisers in that illegal measure: a condition to which, they knew, that, without rendering himself for ever vile and contemptible, he could not possibly submit. Meanwhile, they continued to thunder against the violation of parliamentary privileges, and, by their violent

outcries, to inflame the whole nation. The secret reason of their displeasure, however obvious, they carefully concealed. In the king's accusation of the members, they plainly saw his judgment of the late parliamentary proceedings; and every adherent of the ruling faction dreaded the same fate, should royal authority be re-established in its ancient lustre. By the most unhappy conduct, Charles, while he extremely augmented in his opponents the will, had also increased the ability of hurting him.

The more to excite the people, whose dispositions were already very seditious, the expedient of petitioning was renewed. A petition from the county of Buckingham was presented to the house by six thousand subscribers, who promised to live and die in defence of the privileges of parliament.⁸¹ The city of London, the county of Essex, that of Hertford, Surrey, Berks, imitated the example. A petition from the apprentices was graciously received.⁸² Nay, one was encouraged from the porters; whose numbers amounted, as they said, to fifteen thousand.⁸³ The address of that great body contained the same articles with all the others, the privileges of parliament, the danger of religion, the rebellion of Ireland, the decay of trade. The porters farther desired, that justice might be done upon offenders, as the atrociousness of their crimes had deserved. And they added, *That if such remedies were any longer suspended, they should be forced to extremities not fit to be named, and make good the saying, "That necessity has no law."*⁸⁴

Another petition was presented by several poor people, or beggars, in the name of many thousands more; in which the petitioners proposed as a remedy for the public miseries, *That those noble worthies of the house of peers, who concur with the happy votes of the commons, may separate themselves from the rest, and sit and vote as one entire body.* The commons gave thanks for this petition.⁸⁵

The very women were seized with the same rage. A brewer's wife, followed by many thousands of her sex, brought a petition to the house; in which the petitioners expressed their terror of the papists and prelates, and their dread of like massacres, rapes, and outrages, with those which had been committed upon their sex in Ireland. They had been necessitated, they said, to imitate the example of the women of Tekoah: and they claimed equal right with the men, of declaring, by petition, their sense of the public cause; because Christ had purchased them at as dear a rate, and in the free enjoyment of Christ consists equally the happiness of both sexes. Pym came to the door of the house; and having told the female zealots, that their petition was thankfully accepted, and was presented in a seasonable time, he begged that their prayers

for the success of the commons might follow their petition. Such low arts of popularity were affected! and by such illiberal cant were the unhappy people incited to civil discord and convulsions!

In the mean time, not only all petitions, which favoured the church or monarchy, from whatever hand they came, were discouraged; but the petitioners were sent for, imprisoned, and prosecuted as delinquents: and this unequal conduct was openly avowed and justified. Whoever desire a change, it was said, must express their sentiments; for how, otherwise, shall they be known? But those who favour the established government in church or state, should not petition; because they already enjoy what they wish for.⁸⁶

The king had possessed a great party in the lower house, as appeared in the vote for the remonstrance; and this party, had every new cause of disgust been carefully avoided, would soon have become the majority, from the odium attending the violent measures embraced by the popular leaders. A great majority he always possessed in the house of peers, even after the bishops were confined or chased away; and this majority could not have been overcome, but by outrages which, in the end, would have drawn disgrace and ruin on those who incited them. By the present fury of the people, as by an inundation, were all these obstacles swept away, and every rampart of royal authority laid level with the ground. The victory was pursued with impetuosity by the sagacious commons, who knew the importance of a favourable moment in all popular commotions. The terror of their authority they extended over the whole nation; and all opposition, and even all blame vented in private conversation, were treated as the most atrocious crimes by these severe inquisitors. Scarcely was it permitted to find fault with the conduct of any particular member, if he made a figure in the house; and reflections thrown out on Pym, were at this time treated as breaches of privilege. The populace without doors were ready to execute, from the least hint, the will of their leaders; nor was it safe for any member to approach either house, who pretended to control or oppose the general torrent. After so undisguised a manner was this violence conducted, that Holles, in a speech to the peers, desired to know the names of such members as should vote contrary to the sentiments of the commons.⁸⁷ and Pym said in the lower house, that the people must not be restrained in the expressions of their just desires.⁸⁸

By the flight, or terror, or despondency of the king's party, an undisputed majority remained every where to their opponents; and the bills sent up by the commons, which had hitherto stopped with the peers, and would

certainly have been rejected, now passed, and were presented for the royal assent. These were, the pressing bill with its preamble, and the bill against the votes of the bishops in parliament. The king's authority was at that time reduced to the lowest ebb. The queen too, being secretly threatened with an impeachment, and finding no resource in her husband's protection, was preparing to retire into Holland. The rage of the people was, on account of her religion, as well as her spirit and activity, universally levelled against her. Usage, the most contumelious, she had hitherto borne with silent indignation. The commons, in their fury against priests, had seized her very confessor; nor would they release him upon her repeated applications. Even a visit of the prince to his mother had been openly complained of, and remonstrances against it had been presented to her.⁸⁹ Apprehensive of attacks still more violent, she was desirous of facilitating her escape; and she prevailed with the king to pass these bills, in hopes of appeasing for a time the rage of the multitude.⁹⁰

These new concessions, however important, the king immediately found to have no other effect, than had all the preceding ones: they were made the foundation of demands still more exorbitant. From the facility of his disposition, from the weakness of his situation, but he could now refuse them nothing. And they regarded the least moment of relaxation, in their invasion of royal authority, as highly impolitic, during the uninterrupted torrent of their successes. The very moment they were informed of these last acquisitions, they affronted the queen, by opening some intercepted letters written to her by lord Digby: they carried up an impeachment against Herbert, attorney-general, for obeying his master's commands in accusing their members.⁹¹ And they prosecuted with fresh vigour their plan of the militia, on which they rested all future hopes of an uncontrolled authority.

The commons were sensible that monarchical government, which, during so many ages, had been established in England, would soon regain some degree of its former dignity, after the present tempest was overblown; nor would all their new-invented limitations be able totally to suppress an authority, to which the nation had ever been accustomed. The sword alone, to which all human ordinances must submit, could guard their acquired power, and fully ensure to them personal safety against the rising indignation of their sovereign. This point, therefore, became the chief object of their aims. A large magazine of arms being placed in the town of Hull, they dispatched thither sir John Hotham, a gentleman of considerable fortune in the neighbourhood, and of an ancient family; and they gave him the

authority of governor. They sent orders to Goring, governor of Portsmouth, to obey no commands but such as he should receive from the parliament. Not content with having obliged the king to displace Lunsford, whom he had appointed governor of the Tower,⁹² they never ceased soliciting him, till he had also displaced sir John Biron, a man of unexceptionable character, and had bestowed that command on sir John Comers, in whom alone, they said, they could repose confidence. After making a fruitless attempt, in which the peers refused their concurrence, to give public warning, that the people should put themselves in a posture of defence against the enterprises of *papists and other ill-affected persons*,⁹³ they now resolved, by a bold and decisive stroke, to seize at once the whole power of the sword, and to confer it entirely on their own creatures and adherents.

The severe votes passed in the beginning of this parliament against lieutenants and their deputies, for exercising powers assumed by all their predecessors, had totally disarmed the crown, and had not left in any magistrate military authority sufficient for the defence and security of the nation. To remedy this inconvenience now appeared necessary. A bill was introduced and passed the two houses, which restored to lieutenants and deputies the same powers of which the votes of the commons had bereaved them; but at the same time the names of all the lieutenants were inserted in the bill; and these consisted entirely of men in whom the parliament could confide. And for their conduct, they were accountable, by the express terms of the bill, not to the king, but to the parliament.

The policy pursued by the commons, and which had hitherto succeeded to admiration, was, to astonish the king by the boldness of their enterprises, to intermingle no sweetness with their severity, to employ expressions no less violent than their pretensions, and to make him sensible in what little estimation they held both his person and his dignity. To a bill so destructive of royal authority, they prefixed, with an insolence seemingly wanton, a preamble equally dishonourable to the personal character of the king. These are the words: "Whereas there has been of late a most dangerous and desperate design upon the house of commons, which we have just cause to believe an effect of the bloody counsels of papists and other ill-affected persons, who have already raised a rebellion in the kingdom of Ireland. And whereas, by reason of many discoveries, we cannot but fear they will proceed, not only to stir up the like rebellions and insurrections in this kingdom of England; but also to back them with forces from abroad, &c."⁹⁴

Here Charles first ventured to put a stop to his concessions; and that not by a refusal, but a delay. When this demand was made; a de-

mand which, if granted, the commons justly regarded as the last they should ever have occasion to make; he was at Dover, attending the queen and the princess of Orange, in their embarkation. He replied, that he had not now leisure to consider a matter of so great importance, and must therefore respite his answer till his return.⁹⁵ The parliament instantly (22nd Feb.) dispatched another message to him, with solicitations still more importunate. They expressed their great grief on account of his majesty's answer to their just and necessary petition. They represented, that any delay, during dangers and distractions so great and pressing, was not less unsatisfactory and destructive than an absolute denial. They insisted, that it was their duty to see put in execution a measure so necessary for public safety. And they affirmed, that the people, in many counties, had applied to them for that purpose, and, in some places, were of themselves, and by their own authority, providing against those urgent dangers with which they were threatened.⁹⁶

Even after this insolence, the king durst not venture upon a flat denial. Besides excepting to the preamble, which threw such dishonour upon him, and protesting the innocence of his intentions when he entered the house of commons; he only desired that the military authority, if it were defective, should first be conferred upon the crown; and he promised to bestow commissions, but such as should be revocable at pleasure, on the same persons whom the parliament had named in the bill.⁹⁷ By a former message he had expressed his wishes, that they would lay before him, in one view, all the concessions which they deemed requisite for the settlement of the nation. They pretended that they were exposed to perils so dreadful and imminent, that they had not leisure for such a work.⁹⁸ The expedient proposed by the king seemed a sufficient remedy during this emergency; and yet maintained the prerogatives of the crown entire and unbroken.

But the intentions of the commons were wide of this purpose, and their panics could be cured by one remedy alone. They instantly replied (1st March), that the dangers and distempers of the nation were such as could endure no longer delay; and, unless the king speedily complied with their demands, they should be constrained, for the safety of prince and people, to dispose of the militia by the authority of both houses, and were resolved to do it accordingly. They asserted, that those parts of the kingdom which had, from their own authority, put themselves in a posture of defence during these prevailing fears and jealousies, had acted suitably to the declarations and directions of both houses, and conformably to the laws of the kingdom. And while they thus menaced the king with their power, they invited him to

fix his residence at London, where they knew he would be entirely at mercy.⁹⁹

"I am so much amazed at this message," said the king in his prompt reply, "that I know not what to answer. You speak of jealousies and fears! Lay your hands on your hearts, and ask yourselves, whether I may not likewise be disturbed with fears and jealousies: and if so, I assure you that this message has nothing lessened them.

"As to the militia, I thought so much of it before I gave that answer, and am so much assured that the answer is agreeable to what in justice or reason you can ask, or I in honour grant, that I shall not alter it in any point.

"For my residence near you, I wish it might be safe and honourable, and that I had no cause to absent myself from Whitehall: ask yourselves whether I have not.¹⁰⁰

"What would you have? Have I violated your laws? Have I denied to pass any bill for the ease and security of my subjects? I do not ask what you have done for me.

"Have any of my people been transported with fears and apprehensions? I offer as free and general a pardon as yourselves can devise. All this considered, there is a judgment of Heaven upon this nation, if these distractions continue.

"God so deal with me and mine as all my thoughts and intentions are upright for the maintenance of the true protestant profession, and for the observance and preservation of the laws; and I hope God will bless and assist those laws for my preservation."¹⁰¹

No sooner did the commons despair of obtaining the king's consent to their bill, than they instantly voted, that those who advised his majesty's answer were enemies to the state, and mischievous projectors against the safety of the nation; that this denial is of such dangerous consequence, that if his majesty persist in it, it will hazard the peace and tranquillity of all his kingdoms, unless some speedy remedy be applied by the wisdom and authority of both houses; and that such of the subjects as have put themselves in a posture of defence against the common danger, have done nothing but what is justifiable, and approved by the house.¹⁰²

Least the people might be averse to the seconding of all these usurpations, they were plied anew with rumours of danger, with the terrors of invasion, with the dread of English and Irish papists; and the most dismal countable panics were spread throughout the nation. Lord Digby having entered Kingston in a coach and six, attended by a few livery servants the intelligence was conveyed to London; and it was immediately voted, that he had appeared in a hostile manner, to the terror and affright of his majesty's subjects, and had levied war against the king and kingdom.¹⁰³ Petition from all quarters loudly demanded of the par-

liament to put the nation in a posture of defence; and the county of Stafford, in particular, expressed such dread of an insurrection among the papists, that every man, they said, was constrained to stand upon his guard, not venturing to go to church unarmed.¹⁰⁴

KING ARRIVES AT YORK.

THAT the same violence by which he had so long been oppressed, might not still reach him, and extort his consent to the militia bill, Charles had resolved to remove farther from London: and accordingly, taking the prince of Wales and the duke of York along with him, he arrived, by slow journeys, at York, which he determined for some time to make the place of his residence. The distant parts of the kingdom being removed from that furious vortex of new principles and opinions which had transported the capital, still retained a sincere regard for the church and monarchy; and the king here found marks of attachment beyond what he had before expected.¹⁰⁵ From all quarters of England, the prime nobility and gentry, either personally, or by messages and letters, expressed their duty towards him; and exhorted him to save himself and them from that ignominious slavery with which they were threatened. The small interval of time which had passed since the fatal accusation of the members, had been sufficient to open the eyes of many, and to recover them from the astonishment with which at first they had been seized. One rash and passionate attempt of the king's seemed but a small counterbalance to so many acts of deliberate violence, which had been offered to him and every branch of the legislature: and, however sweet the sound of liberty, many resolved to adhere to that moderate freedom transmitted them from their ancestors, and now better secured by such important concessions; rather than, by engaging in a giddy search after more independence, run a manifest risk either of incurring a cruel subjection, or abandoning all law and order.

Charles, finding himself supported by a considerable party in the kingdom, began to speak in a firmer tone, and to retort the accusations of the commons with a vigour which he had not before exerted. Notwithstanding their remonstrances, and menaces, and insults, he still persisted in refusing their bill; and they proceeded to frame an ordinance, in which, by the authority of the two houses, without the king's consent, they named lieutenants for all the counties, and conferred on them the command of the whole military force, of all the guards, garrisons, and forts of the kingdom. He issued proclamations against this manifest usurpation: and as he professed a resolution strictly to observe the law himself, so was he determined, he said, to oblige every other

person to pay it a like obedience. The name of the king was so essential to all laws, and so familiar in all acts of executive authority, that the parliament was afraid, had they totally omitted it, that the innovation would be too sensible to the people. In all commands, therefore, which they conferred, they bound the persons to obey the orders of his majesty, signified by both houses of parliament. And, inventing a distinction, hitherto unheard of, between the office and the person of the king; those very forces which they employed against him, they levied in his name and by his authority.¹⁰⁶

It is remarkable how much the topics of argument were now reversed between the parties. The king, while he acknowledged his former error, of employing a plea of necessity in order to mangle the laws and constitution, warned the parliament not to imitate an example on which they throw such violent blame; and the parliament, while they clothed their personal fears or ambition under the appearance of national and imminent danger, made unknowingly an apology for the most exceptionable part of the king's conduct. That the liberties of the people were no longer exposed to any peril from royal authority, so narrowly circumscribed, so exactly defined, so much unsupported by revenue and by military power, might be maintained upon very plausible topics; but that the danger, allowing it to have any existence, was not of that kind; great, urgent, inevitable; which dissolves all law, and levels all limitations; seems apparent from the simplest view of these transactions. So obvious indeed was the king's present inability to invade the constitution, that the fears and jealousies which operated on the people, and pushed them so furiously to arms, were undoubtedly not of a civil, but of a religious nature. The distempered imaginations of men were agitated with a continual dread of popery, with a horror against prelacy, with an antipathy to ceremonies and the liturgy, and with a violent affection for whatever was most opposite to these objects of aversion. The fanatical spirit let loose, confounded all regard to ease, safety, interest; and dissolved every moral and civil obligation.—[See note (E) at the end of this Vol.]

Each party was now willing to throw on its antagonist the odium of commencing a civil war; but both of them prepared for an event which they deemed inevitable. To gain the people's favour and good opinion, was the chief point on both sides. Never was there a people less corrupted by vice, and more actuated by principle, than the English during that period: never were there individuals who possessed more capacity, more courage, more public spirit, more disinterested zeal. The infusion of one ingredient, in too large a proportion,

had corrupted all these noble principles, and converted them into the most virulent poison. To determine his choice in the approaching contests, every man hearkened with avidity to the reasons proposed on both sides. The war of the pen preceded that of the sword, and daily sharpened the humours of the opposite parties. Besides private adventurers without number, the king and parliament themselves carried on the controversy, by messages, remonstrances, and declarations; where the nation was really the party to whom all arguments were addressed. Charles had here a double advantage. Not only his cause was more favourable, as supporting the ancient government in church and state against the most illegal pretensions; it was also defended with more art and eloquence. Lord Falkland had accepted the office of secretary; a man who adorned the purest virtue with the richest gifts of nature, and the most valuable acquisitions of learning. By him, assisted by the king himself, were the memorials of the royal party chiefly composed. So sensible was Charles of his superiority in this particular, that he took care to disperse every where the papers of the parliament together with his own, that the people might be the more enabled, by comparison, to form a judgment between them: the parliament, while they distributed copies of their own, were anxious to suppress all the king's compositions.¹⁰⁷

To clear up the principles of the constitution, to mark the boundaries of the powers intrusted by law to the several members, to show what great improvements the whole political system had received from the king's late concessions, to demonstrate his entire confidence in his people, and his reliance on their affections, to point out the ungrateful returns which had been made him, and the enormous encroachments, insults, and indignities, to which he had been exposed; these were the topics which, with so much justness of reasoning and propriety of expression, were insisted on in the king's declarations and remonstrances.—[See note (F) at the end of this Vol.]

Though these writings were of consequence, and tended much to reconcile the nation to Charles, it was evident that they would not be decisive, and that keener weapons must determine the controversy. To the ordinance of the parliament concerning the militia, the king opposed his commissions of array. The counties obeyed the one or the other, according as they stood affected. And in many counties, where the people were divided, mobbish combats and skirmishes ensued.¹⁰⁸ The parliament, on this occasion, went so far as to vote, "That when the lords and commons in parliament, which is the supreme court of judicature, shall declare what the law of the land is, to have this not only questioned, but contradicted, is a high breach of their privi-

leges."¹⁰⁹ This was a plain assuming of the whole legislative authority, and exerting it in the most material article, the government of the militia. Upon the same principles, they pretended, by a verbal criticism on the tense of a Latin verb, to ravish from the king his negative voice in the legislature.¹¹⁰

The magazine of Hull contained the arms of all the forces levied against the Scots; and sir John Hotham, the governor, though he had accepted of a commission from the parliament, was not thought to be much disaffected to the church and monarchy. Charles, therefore, entertained hopes, that, if he presented himself at Hull before the commencement of hostilities, Hotham, overawed by his presence, would admit him with his retinue; after which he might easily render himself master of the place. But the governor was on his guard. He shut the gates, and refused to receive the king, who desired leave to enter with twenty persons only. Charles immediately proclaimed him traitor, and complained to the parliament of his disobedience. The parliament avowed and justified the action.¹¹¹

PREPARATIONS.

THE county of York levied a guard for the king of six hundred men: for the kings of England had hitherto lived among their subjects like fathers among their children, and had derived all their security from the dignity of their character, and from the protection of the laws. The two houses, though they had already levied a guard for themselves, had attempted to seize all the military power, all the navy, and all the forts of the kingdom; and had openly employed their authority in every kind of warlike preparations: yet immediately voted, "That the king, seduced by wicked counsel, intended to make war against his parliament, who, in all their consultations and actions, had proposed no other end but the care of his kingdoms, and the performance of all duty and loyalty to his person; that this attempt was a breach of the trust reposed in him by his people, contrary to his oath, and tending to a dissolution of the government; and that whoever should assist him in such a war, were traitors by the fundamental laws of the kingdom."¹¹²

The armies, which had been every where raised on pretence of the service in Ireland, were henceforth more openly enlisted by the parliament for their own purposes, and the command of them was given to the earl of Essex. In London no less than four thousand men enlisted in one day.¹¹³ And the parliament voted a declaration, which they required every member to subscribe, that they would live and die with their general.

They issued orders (10th June) for bringing

in loans of money and plate, in order to maintain forces which should defend the king and both houses of parliament: for this style they still preserved. Within ten days, vast quantities of plate were brought to their treasurers. Hardly were there men enough to receive it, or room sufficient to stow it: and many, with regret, were obliged to carry back their offerings, and wait till the treasurers could find leisure to receive them. Such zeal animated the pious partisans of the parliament, especially in the city! The women gave up all the plate and ornaments of their houses, and even their silver thimbles and bodkins, in order to support the *good cause* against the malignants.¹¹⁴

Meanwhile the splendor of the nobility, with which the king was environed, much eclipsed the appearance at Westminster. Lord-keeper Littleton, after sending the great seal before him, had fled to York. Above forty peers of the first rank attended the king;¹¹⁵ while the house of lords seldom consisted of more than sixteen members. Near the moiety too of the lower house absented themselves from counsels which they deemed so full of danger. The commons sent up an impeachment against nine peers, for deserting their duty in parliament. Their own members also, who should return to them, they voted not to admit, till satisfied concerning the reason of their absence.

Charles made a declaration to the peers who attended him, that he expected from them no obedience to any commands which were not warranted by the laws of the land. The peers answered this declaration by a protest, in which they declared their resolution to obey no commands but such as were warranted by that authority.¹¹⁶ By these deliberate engagements, so worthy of an English prince and English nobility, they meant to confound the furious and tumultuary resolutions taken by the parliament.

The queen, disposing of the crown-jewels in Holland, had been enabled to purchase a cargo of arms and ammunition. Part of these, after escaping many perils, arrived safely to the king. His preparations were not near so forward as those of the parliament. In order to remove all jealousy, he had resolved, that their usurpations and illegal pretensions should be apparent to the whole world, and thought, that to recover the confidence of the people was a point much more material to his interest than the collecting of any magazines, stores, or armies, which might breed apprehensions of violent or illegal counsels. But the urgent necessity of his situation no longer admitted of delay. He now prepared himself for defence. With a spirit, activity, and address, which neither the one party apprehended, nor the other expected, he employed all the advantages which remained to him, and roused up

his adherents to arms. The resources of this prince's genius increased in proportion to his difficulties; and he never appeared greater than when plunged into the deepest perils and distresses. From the mixed character, indeed, of Charles, arose in part the misfortunes in which England was at this time involved. His political errors, or rather weaknesses, had raised him inveterate enemies: his eminent moral virtues had procured him zealous partisans: and between the hatred of the one, and the affections of the other, was the nation agitated with the most violent convulsions.

That the king might despair of all composition, the parliament sent him the conditions on which they were willing to come to an agreement. Their demands, contained in nineteen propositions, amounted to a total abolition of monarchical authority. They required, that no man should remain in the council, who was not agreeable to parliament; that no deed of the king's should have validity, unless it passed the council, and was attested under their hand; that all the officers of state and principal judges should be chosen with consent of parliament, and enjoy their offices for life; that none of the royal family should marry without consent of parliament or council; that the laws should be executed against catholics; that the votes of popish lords should be excluded; that the reformation of the liturgy and church-government should have place, according to advice of parliament; that

the ordinance, with regard to the militia, be submitted to; that the justice of parliament pass upon all delinquents; that a general pardon be granted, with such exceptions as should be advised by parliament; that the forts and castles be disposed of by consent of parliament; and that no peer be made but with consent of both houses.¹¹⁷

"Should I grant these demands," said the king in reply, "I may be voted on bare-headed; I may have my hand kissed; the title of Majesty may be continued to me; and *The king's authority, signified by both houses*, may still be the style of your commands; I may have swords and maces carried before me, and please myself with the sight of a crown and sceptre (though even these twigs would not long flourish, when the stock upon which they grew was dead): but as to true and real power, I should remain but the outside, but the picture, but the sign of a king."¹¹⁸ War on any terms was esteemed, by the king and all his counsellors, preferable to so ignominious a peace. Charles accordingly resolved to support his authority by arms. "His towns," he said, "were taken from him, his ships, his arms, his money; but there still remained to him a good cause, and the hearts of his loyal subjects, which, with God's blessing, he doubted not, would recover all the rest." Collecting therefore some forces, he advanced southwards (22d Aug.); and at Nottingham he erected his royal standard, the open signal of discord and civil war throughout the kingdom.

NOTES.

- 1 Nalson, vol. i. p. 747. May, p. 104.
- 2 Rushworth, vol. v. p. 365. Clarendon, vol. ii. p. 293.
- 3 Burnet's Memoirs.
- 4 Burnet's Memoirs.
- 5 Burnet's Memoirs.
- 6 Burnet's Memoirs.
- 7 Burnet's Memoirs.
- 8 Clarendon, vol. ii. p. 309.
- 9 Whitlocke, p. 40. Dugdale, p. 79. Burnet's Memoirs of the House of Hamilton, p. 184, 185. Clarendon, p. 299.
- 10 Sir John Temple's Irish Rebellion, p. 12.
- 11 Clarendon, vol. i. p. 281. Rushworth, vol. v. p. 381. Dugdale, p. 73. May, book ii. p. 3.
- 12 Temple, p. 14.
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- 64 Clarendon, vol. ii. p. 339.
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- 87 King's Declar. of 13th of Aug. 1642.
- 88 King's Declar. of 18th of Aug. 1642.
- 89 Nalson, vol. ii. p. 512.
- 90 Clarendon, vol. ii. p. 428.
- 91 Rushworth, vol. v. p. 489. Clarendon, vol. ii. p. 385.
- 92 Rushworth, vol. v. p. 459.
- 93 Nalson, vol. ii. p. 850.
- 94 Rushworth, vol. v. p. 510.
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- 97 Rushworth, vol. v. p. 521.
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- 101 Rushworth, vol. v. p. 532.
- 102 Rushworth, part iii. vol. i. chap. iv p. 524.
- 103 Clarendon, Rushworth, part iii. vol. i. chap. ii. p. 425.
- 104 Dugdale, p. 89.
- 105 Warwick, p. 205.
- 106 Rushworth, vol. v. p. 526.
- 107 Rushworth, vol. v. p. 751.
- 108 May, book ii. p. 99.
- 109 Rushworth, vol. v. p. 534.
- 110 The king, by his coronation oath, promises that he would maintain the laws and customs which the people had chosen, *quod vulgo elegeret*: the parliament pretended that *elegeret* meant *shall choose*; and consequently, that the king had no right to refuse any bills which should be presented him. See Rushworth, vol. v. p. 560.
- 111 Whitlocke, p. 55. Rushworth, vol. v. p. 265, &c. May, book ii. p. 31.
- 112 Whitlocke, p. 57. Rushworth, vol. v. p. 717. Dugdale, p. 93. May, book ii. p. 54.
- 113 Vicar's God in the Mount.
- 114 Whitlocke, p. 58. Dugdale, p. 90.
- 115 May, book ii. p. 59.
- 116 Rushworth, vol. v. p. 626, 627. May book ii. p. 86. Warwick, p. 210.
- 117 Rushworth, vol. v. p. 792. May book ii. p. 54.
- 118 Rushworth, vol. v. p. 798. Warwick, p. 189.

CHAPTER LVI.

Commencement of the Civil War.—State of Parties.—Battle of Edgehill.—Negotiation at Oxford.—Victories of the Royalists in the West.—Battle of Stratton.—Of Lansdown.—Of Roundway Down.—Death of Hambden.—Bristol taken.—Siege of Gloucester.—Battle of Newbury.—Actions in the North of England.—Solemn League and Covenant.—Arming of the Scots.—State of Ireland.

COMMENCEMENT OF THE CIVIL WAR.

WHEN two names, so sacred in the English constitution as those of KING and PARLIAMENT, were placed in opposition; no wonder the people were divided in their choice, and were agitated with the most violent animosities and factions.

The nobility, and more considerable gentry, dreading a total confusion of rank from the fury of the populace, enlisted themselves in defence of the monarch, from whom they received, and to whom they communicated, their lustre. Animated with the spirit of loyalty, derived from their ancestors, they adhered to the ancient principles of the constitution, and valued themselves on exerting the maxims, as well as inheriting the possessions, of the old English families. And while they passed their time mostly at their country-seats, they were surprised to hear of opinions prevailing, with which they had ever been unacquainted, and which implied not a limitation, but an abolition almost total, of monarchical authority.

The city of London, on the other hand, and most of the great corporations, took part with the parliament, and adopted with zeal those democratical principles on which the pretensions of that assembly were founded. The government of cities, which even under absolute monarchies is commonly republican, inclined them to this party: the small hereditary influence, which can be retained over the industrious inhabitants of towns; the natural independence of citizens; and the force of popular currents over those more numerous associations of mankind; all these causes gave, there, authority to the new principles propagated throughout the nation. Many families too, which had lately been enriched by commerce, saw with indignation, that, notwithstanding their opulence, they could not raise themselves to a level with the ancient gentry; they therefore adhered to a power, by whose success they hoped to acquire rank and consideration.¹ And the new splendour and glory of the Dutch commonwealth, where liberty so happily supported industry, made the commercial part of the

nation desire to see a like form of government established in England.

The genius of the two religions, so closely at this time interwoven with politics, corresponded exactly to these divisions. The presbyterian religion was new, republican, and suited to the genius of the populace: the other had an air of greater show and ornament, was established on ancient authority, and bore an affinity to the kingly and aristocratical parts of the constitution. The devotees of presbytery became of course zealous partisans of the parliament: the friends of the episcopal church valued themselves on defending the rights of monarchy.

Some men also there were of liberal education, who, being either careless or ignorant of those disputes bandied about by the clergy on both sides, aspired to nothing but an easy enjoyment of life, amidst the jovial entertainment and social intercourse of their companions. All these flocked to the king's standard, where they breathed a freer air, and were exempted from that rigid preciseness and melancholy austerity, which reigned among the parliamentary party.

Never was a quarrel more unequal than seemed at first that between the contending parties: almost every advantage lay against the royal cause. The king's revenue had been seized, from the beginning, by the parliament, who issued out to him, from time to time, small sums for his present subsistence; and as soon as he withdrew to York, they totally stopped all payments. London and all the sea-ports, except Newcastle, being in their hands, the customs yielded them a certain and considerable supply of money; and all contributions, loans, and impositions, were more easily raised from the cities which possessed the ready money, and where men lived under their inspection, than they could be levied by the king in those open countries, which after some time declared for him.

The seamen naturally followed the disposition of the sea-ports to which they belonged: and the earl of Northumberland, lord admiral, having embraced the party of the parliament, had appointed, at their desire, the earl of

Warwic to be his lieutenant, who at once established his authority in the fleet, and kept the entire dominion of the sea in the hands of that assembly.

All the magazines of arms and ammunition were from the first seized by the parliament; and their fleet intercepted the greater part of those which were sent by the queen from Holland. The king was obliged, in order to arm his followers, to borrow the weapons of the train-bands, under promise of restoring them as soon as peace should be settled in the kingdom.

The veneration for parliaments was at this time extreme throughout the nation.² The custom of reviling those assemblies for corruption, as it had no pretence, so was it unknown, during all former ages. Few or no instances of their encroaching ambition or selfish claims had hitherto been observed. Men considered the house of commons in no other light than as the representatives of the nation, whose interest was the same with that of the public, who were the eternal guardians of law and liberty, and whom no motive, but the necessary defence of the people, could ever engage in an opposition to the crown. The torrent, therefore, of general affection ran to the parliament. What is the great advantage of popularity, the privilege of affixing epithets, fell of course to that party. The king's adherents were the *Wicked* and the *Malignant*: their adversaries were the *Godly* and *Well-affected*. And as the force of the cities was more united than that of the country, and at once gave shelter and protection to the parliamentary party, who could easily suppress the royalists in their neighbourhood, almost the whole kingdom, at the commencement of the war, seemed to be in the hands of the parliament.

What alone gave the king some compensation for all the advantages possessed by his adversaries, was the nature and qualities of his adherents. More bravery and activity were hoped for, from the generous spirit of the nobles and gentry, than from the base disposition of the multitude. And as the men of estates, at their own expence, levied and armed their tenants, besides an attachment to their masters, greater force and courage were to be expected in these rustic troops, than in the vicious and enervated populace of cities.

The neighbouring states of Europe, being engaged in violent wars, little interested themselves in these civil commotions; and this island enjoyed the singular advantage (for such it surely was) of fighting out its own quarrels without the interposition of foreigners. France, from policy, had fomented the first disorders in Scotland; had sent over arms to the Irish rebels; and continued to give countenance to the English parliament; Spain, from bigotry, furnished the Irish with some supplies of money

and arms. The prince of Orange, closely allied to the crown, encouraged English officers, who served in the Low Countries, to enlist in the king's army: the Scottish officers, who had been formed in Germany, and in the late commotions, chiefly took part with the parliament.

The contempt entertained by the parliament for the king's party was so great, that it was the chief cause of pushing matters to such extremities against him; and many believed that he never would attempt resistance, but must soon yield to the pretensions, however enormous, of the two houses. Even after his standard was erected, men could not be brought to apprehend the danger of a civil war; nor was it imagined that he would have the imprudence to enrage his implacable enemies, and render his own condition more desperate, by opposing a force which was so much superior. The low condition in which he appeared at Nottingham confirmed all these hopes. His artillery, though far from numerous, had been left at York, for want of horses to transport it. Besides the trained bands of the county raised by sir John Digby, the sheriff, he had not gotten together above three hundred infantry. His cavalry, in which consisted his chief strength, exceeded not eight hundred, and were very ill provided with arms. The forces of the parliament lay at Northampton, within a few days march of him; and consisted of above six thousand men well armed and well appointed. Had these troops advanced upon him, they must soon have dissipated the small force which he had assembled. By pursuing him in his retreat,³ they had so discredited his cause, and discouraged his adherents, as to have for ever prevented his collecting an army able to make head against them. But the earl of Essex, the parliamentary general, had not yet received any orders from his masters.⁴ What rendered them so backward, after such precipitate steps as they had formerly taken, is not easily explained. It is probable, that in the extreme distress of his party consisted the present safety of the king. The parliament hoped, that the royalists, sensible of their feeble condition, and convinced of their slender resources, would disperse of themselves, and leave their adversaries a victory, so much the more complete and secure, as it would be gained without the appearance of force, and without bloodshed. Perhaps too, when it became necessary to make the concluding step, and offer barefaced violence to their sovereign, their scruples and apprehensions, though not sufficient to overcome their resolutions, were able to retard the execution of them.⁵

Sir Jacob Astley, whom the king had appointed major-general of his intended army, told him, that he could not give him assurance but he might be taken out of his bed, if the

rebels should make a brisk attempt to that purpose. All the king's attendants were full of well-grounded apprehensions. Some of the lords having desired that a message might be sent to the parliament with overtures to a treaty, Charles, who well knew that an accommodation, in his present condition, meant nothing but a total submission, hastily broke up the council, lest this proposal should be farther insisted on. But next day, the earl of Southampton, whom no one could suspect of base or timid sentiments, having offered the same advice in council, it was hearkened to with more coolness and deliberation. He urged, that though such a step would probably increase the insolence of the parliament, this was so far from being an objection, that such dispositions must necessarily turn to the advantage of the royal cause: that if they refused to treat, which was more probable, the very sound of peace was so popular, that nothing could more disgust the nation than such haughty severity: that if they admitted of a treaty, their proposals, considering their present situation, would be so exorbitant, as to open the eyes of their most partial adherents, and turn the general favour to the king's party: and that, at worst, time might be gained by this expedient, and a delay of the imminent danger with which the king was at present threatened.⁶

Charles, on assembling the council, had declared against all advances towards an accommodation; and had said, that, having now nothing left him but his honour, this last possession he was resolved steadily to preserve, and rather to perish than yield any farther to the pretensions of his enemies.⁷ But, by the unanimous desire of the counsellors, he was prevailed on to embrace Southampton's advice. That nobleman, therefore, with sir John Colepeper and sir William Uvedale, was dispatched to London, with offers of a treaty.⁸ The manner in which they were received gave little hopes of success. Southampton was not allowed by the peers to take his seat; but was ordered to deliver his message to the usher, and immediately to depart the city: the commons showed little better disposition towards Colepeper and Uvedale.⁹ Both houses replied, that they could admit of no treaty with the king, till he took down his standard, and recalled his proclamations, in which the parliament supposed themselves to be declared traitors. The king, by a second message, denied any such intention against the two houses; but offered to recal these proclamations, provided the parliament agreed to recal theirs, in which his adherents were declared traitors. They desired him, in return, to dismiss his forces, to reside with his parliament, and to give up delinquents to their justice; that is, abandon himself and his friends to the

mercy of his enemies.¹⁰ Both parties flattered themselves, that, by these messages and replies, they had gained the ends which they proposed.¹¹ The king believed that the people were made sufficiently sensible of the parliament's insolence and aversion to peace: the parliament intended, by this vigour in their resolutions, to support the vigour of their military operations.

The courage of the parliament was increased, besides their great superiority of force, by two recent events, which had happened in their favour. Goring was governor of Portsmouth, the best fortified town in the kingdom, and, by its situation, of great importance. This man seemed to have rendered himself an implacable enemy to the king, by betraying, probably magnifying, the secret cabals of the army; and the parliament thought that his fidelity to them might, on that account, be entirely depended on. But the same levity of mind still attended him, and the same disregard to engagements and professions. He took underhand his measures with the court, and declared against the parliament. But, though he had been sufficiently supplied with money, and long before knew his danger, so small was his foresight, that he had left the place entirely destitute of provisions, and in a few days he was obliged to surrender to the parliamentary forces.¹²

The marquis of Hertford was a nobleman of the greatest quality and character in the kingdom, and, equally with the king, descended, by a female, from Henry VII. During the reign of James, he had attempted, without having obtained the consent of that monarch, to marry Arabella Stuart, a lady nearly related to the crown; and, upon discovery of his intentions, had been obliged, for some time, to fly the kingdom. Ever after, he was looked on with an evil eye at court, from which, in a great measure, he withdrew; and living in an independent manner, he addicted himself entirely to literary occupations and amusements. In proportion as the king declined in popularity, Hertford's character flourished with the people; and when this parliament assembled, no nobleman possessed more general favour and authority. By his sagacity, he soon perceived, that the commons, not content with correcting the abuses of government, were carried, by the natural current of power and popularity, into the opposite extreme, and were committing violations, no less dangerous than the former, upon the English constitution. Immediately he devoted himself to the support of the king's falling authority, and was prevailed with to be governor to the young prince, and reside at court, to which, in the eyes of all men, he gave, by his presence, a new lustre and authority. So high was his character for mildness and

humanity, that he still preserved, by means of these popular virtues, the public favour; and every one was sensible of the true motive of his change. Notwithstanding his habits of ease and study, he now exerted himself in raising an army for the king; and being named general of the western counties, where his interest chiefly lay, he began to assemble forces in Somersetshire. By the assistance of lord Seymour, lord Paulet, John Digby, son of the earl of Bristol, sir Francis Hawley, and others, he had drawn together some appearance of an army; when the parliament, apprehensive of the danger, sent the earl of Bedford with a considerable force against him. On his approach, Hertford was obliged to retire into Sherborne castle; and, finding that place untenable, he himself passed over into Wales, leaving sir Ralph Hopton, sir John Berkeley, Digby, and other officers, with their horse, consisting of about a hundred and twenty, to march into Cornwall, in hopes of finding that county better prepared for their reception.¹³

All the dispersed bodies of the parliamentary army were now ordered to march to Northampton; and the earl of Essex, who had joined them, found the whole amount to fifteen thousand men.¹⁴ The king, though his camp had been gradually reinforced from all quarters, was sensible that he had no army which could cope with so formidable a force; and he thought it prudent, by slow marches, to retire to Derby, thence to Shrewsbury, in order to countenance the levies which his friends were making in those parts. At Wellington, a day's march from Shrewsbury, he made a rendezvous of all his forces, and caused his military orders to be read at the head of every regiment. That he might bind himself by reciprocal ties, he solemnly made the following declaration before his whole army:

"I do promise, in the presence of Almighty God, and as I hope for his blessing and protection, that I will, to the utmost of my power, defend and maintain the true reformed protestant religion, established in the church of England, and, by the grace of God, in the same will live and die.

"I desire that the laws may ever be the measure of my government, and that the liberty and property of the subject may be preserved by them with the same care as my own just rights. And if it please God, by his blessing on this army, raised for my necessary defence, to preserve me from the present rebellion, I do solemnly and faithfully promise, in the sight of God, to maintain the just privileges and freedom of parliament, and to govern, to the utmost of my power, by the known statutes and customs of the kingdom, and particularly to observe inviolably the laws to which I have given my consent this parliament. Meanwhile, if this emergence, and the

great necessity to which I am driven, beget any violation of law, I hope it shall be imputed by God and man to the authors of this war; not to me, who have so earnestly laboured to preserve the peace of the kingdom.

"When I willingly fail in these particulars, I shall expect no aid or relief from man, nor any protection from above: but in this resolution I hope for the cheerful assistance of all good men, and am confident of the blessing of heaven."¹⁵

Though the concurrence of the church undoubtedly increased the king's adherents, it may safely be affirmed, that the high monarchical doctrines, so much inculcated by the clergy, had never done him any real service. The bulk of that generous train of nobility and gentry who now attended the king in his distresses, breathed the spirit of liberty, as well as of loyalty: and in the hopes alone of his submitting to a legal and limited government, were they willing, in his defence, to sacrifice their lives and fortunes.

While the king's army lay at Shrewsbury, and he was employing himself in collecting money, which he received, though in no great quantities, by voluntary contributions, and by the plate of the universities, which was sent him, the news arrived of an action, the first which had happened in these wars, and where he was successful.

On the appearance of commotions in England, the princes Rupert and Maurice, sons of the unfortunate palatine, had offered their service to the king; and the former, at that time, commanded a body of horse, which had been sent to Worcester, in order to watch the motions of Essex, who was marching towards that city. No sooner had the prince arrived, than he saw some cavalry of the enemy approaching the gates. Without delay, he briskly attacked them, as they were defiling from a lane, and forming themselves. Colonel Sandys, who led them, and who fought with valour, being mortally wounded, fell from his horse. The whole party was routed, and was pursued above a mile. The prince, hearing of Essex's approach, returned to the main body.¹⁶ This rencounter, though in itself of small importance, mightily raised the reputation of the royalists, and acquired to prince Rupert the character of promptitude and courage; qualities which he eminently displayed during the whole course of the war.

The king, on mustering his army, found it amount to ten thousand men. The earl of Lindsey, who in his youth had sought experience of military service in the Low Countries,¹⁷ was general: prince Rupert commanded the horse: sir Jacob Astley, the foot: sir Arthur Aston, the dragoons: sir John Heydon, the artillery. Lord Bernard Stuart was at the head of a troop of guards. The estates and

revenue of this single troop, according to lord Clarendon's computation, were at least equal to those of all the members, who, at the commencement of war, voted in both houses. Their servants, under the command of sir William Killigrew, made another troop, and always marched with their masters.¹⁸

With this army the king left Shrewsbury (12th Oct.), resolving to give battle as soon as possible to the army of the parliament, which, he heard, was continually augmenting by supplies from London. In order to bring on an action, he directed his march towards the capital, which, he knew, the enemy would not abandon to him. Essex had now received his instructions. The import of them was, to present a most humble petition to the king, and to rescue him and the royal family from those desperate malignants, who had seized their persons.¹⁹ Two days after the departure of the royalists from Shrewsbury, he left Worcester. Though it be commonly easy in civil wars to get intelligence, the armies were within six miles of each other, ere either of the generals was acquainted with the approach of his enemy. Shrewsbury and Worcester, the places from which they set out, are not above twenty miles distant; yet had the two armies marched ten days in this mutual ignorance. So much had military skill, during a long peace, decayed in England.²⁰

BATTLE OF EDGE-HILL. Oct. 23.

THE royal army lay near Banbury: that of the parliament at Keinton, in the county of Warwic. Prince Rupert sent intelligence of the enemy's approach. Though the day was far advanced, the king resolved upon the attack: Essex drew up his men to receive him. Sir Faithful Fortescue, who had levied a troop for the Irish wars, had been obliged to serve in the parliamentary army, and was now posted on the left wing, commanded by Ramsay, a Scotchman. No sooner did the king's army approach, than Fortescue, ordering his troop to discharge their pistols in the ground, put himself under the command of prince Rupert. Partly from this incident, partly from the furious shock made upon them by the prince; that whole wing of cavalry immediately fled, and were pursued for two miles. The right wing of the parliament's army had no better success. Chased from their ground by Wilmot and sir Arthur Aston, they also took to flight. The king's body of reserv^e, commanded by sir John Biron, judging, like raw soldiers, that all was over, and impatient to have some share in the action, heedlessly followed the chase, which their left wing had precipitately led them. Sir William Balfour, who commanded Essex's reserve, perceived the advantage: he wheeled about upon

the king's infantry, now quite unfurnished of horse; and he made great havoc among them. Lindesey, the general, was mortally wounded, and taken prisoner. His son, endeavouring his rescue, fell likewise into the enemy's hands. Sir Edmund Verney, who carried the king's standard, was killed, and the standard taken; but it was afterwards recovered. In this situation, prince Rupert, on his return, found affairs. Every thing bore the appearance of a defeat instead of a victory, with which he had hastily flattered himself. Some advised the king to leave the field: but that prince rejected such pusillanimous counsel. The two armies faced each other for some time, and neither of them retained courage sufficient for a new attack. All night they lay under arms; and next morning found themselves in sight of each other. General, as well as soldier, on both sides, seemed averse to renew the battle. Essex first drew off, and retired to Warwic. The king returned to his former quarters. Five thousand men are said to have been found dead on the field of battle; and the loss of the two armies, as far as we can judge by the opposite accounts, was nearly equal. Such was the event of this first battle, fought at Keinton, or Edge-hill.²¹

Some of Essex's horse, who had been driven off the field in the beginning of the action, flying to a great distance, carried news of a total defeat, and struck a mighty terror into the city and parliament. After a few days, a more just account arrived; and then the parliament pretended to a complete victory.²² The king also, on his part, was not wanting to display his advantages; though, except the taking of Banbury, a few days after, he had few marks of victory to boast of. He continued his march, and took possession of Oxford, the only town in his dominions which was altogether at his devotion.

After the royal army was recruited and refreshed; as the weather still continued favourable, it was again put in motion. A party of horse approached to Reading, of which Martin was appointed governor by the parliament. Both governor and garrison were seized with a panic, and fled with precipitation to London. The king, hoping that every thing would yield before him, advanced with his whole army to Reading. The parliament, who, instead of their fond expectations, that Charles would never be able to collect an army, had now the prospect of a civil war, bloody, and of uncertain event; were farther alarmed at the near approach of the royal army, while their own forces lay at a distance. They voted an address for a treaty. The king's nearer approach to Colebrooke quickened their advances for peace. Northumberland and Pembroke, with three commoners, presented the address of both houses; in which they besought his

majesty to appoint some convenient place where he might reside till committees could attend him with proposals. The king named Windsor, and desired that their garrison might be removed, and his own troops admitted into that castle.²³

Meanwhile Essex, advancing by hasty marches, had arrived at London (30th Nov.) But neither the presence of his army, nor the precarious hopes of a treaty, retarded the king's approaches. Charles attacked, at Brentford, two regiments quartered there, and after a sharp action beat them from that village, and took about five hundred prisoners. The parliament had sent orders to forbear all hostilities, and had expected the same from the king; though no stipulations to that purpose had been mentioned by their commissioners. Loud complaints were raised against this attack, as if it had been the most apparent perfidy, and breach of treaty.²⁴ Inflamed with resentment, as well as anxious for its own safety, the city marched its trained bands in excellent order, and joined the army under Essex. The parliamentary army now amounted to above twenty-four thousand men, and was much superior to that of the king.²⁵ After both armies had faced each other for some time, Charles drew off and retired to Reading, thence to Oxford.

While the principal armies on both sides were kept in inaction by the winter season, the king and parliament were employed in real preparations for war, and in seeming advances towards peace. By means of contributions or assessments, levied by the horse, Charles maintained his cavalry: by loans and voluntary presents, sent him from all parts of the kingdom, he supported his infantry: but the supplies were still very unequal to the necessities under which he laboured.²⁶ The parliament had much greater resources for money; and had, by consequence, every military preparation in much greater order and abundance. Besides an imposition levied in London, amounting to the five-and-twentieth part of every one's substance, they established on that city a weekly assessment of ten thousand pounds, and another of twenty-three thousand five hundred and eighteen, on the rest of the kingdom.²⁷ And as their authority was at present established in most counties, they levied these taxes with regularity; though they amounted to sums much greater than the nation had formerly paid to the public.

NEGOTIATION AT OXFORD. 1643.

THE king and parliament sent reciprocally their demands; and a treaty commenced, but without any cessation of hostilities, as had at first been proposed. The earl of Northumberland, and four members of the lower house,

came to Oxford as commissioners.²⁸ In this treaty the king perpetually insisted on the re-establishment of the crown in its legal powers, and on the restoration of his constitutional prerogative;²⁹ the parliament still required new concessions, and a farther abridgment of regal authority, as a more effectual remedy to their fears and jealousies. Finding the king supported by more forces, and a greater party than they had ever looked for, they seemingly abated somewhat of those extravagant conditions which they had formerly claimed; but their demands were still too high for an equal treaty. Besides other articles, to which a complete victory alone could entitle them, they required the king in express terms utterly to abolish episcopacy; a demand which, before, they had only insinuated: and they required, that all other ecclesiastical controversies should be determined by their assembly of divines; that is, in the manner the most repugnant to the inclinations of the king and all his partisans. They insisted, that he should submit to the punishment of his most faithful adherents. And they desired him to acquiesce in their settlement of the militia, and to confer on their adherents the entire power of the sword. In answer to the king's proposal, that his magazines, towns, forts, and ships, should be restored to him, the parliament required, that they should be put into such hands as they could confide in:³⁰ the nineteen propositions, which they formerly sent to the king, showed their inclination to abolish monarchy: they only asked, at present, the power of doing it. And having now, in the eye of the law, been guilty of treason, by levying war against their sovereign; it is evident that their fears and jealousies must, on that account, have multiplied extremely; and have rendered their personal safety, which they interwove with the safety of the nation, still more incompatible with the authority of the monarch. Though the gentleness and lenity of the king's temper might have ensured them against schemes of future vengeance; they preferred, as is, no doubt, natural, an independent security, accompanied too with sovereign power, to the station of subjects, and that not entirely guarded from all apprehensions of danger. [*See note (G) at the end of this Vol.*]

The conferences went no farther than the first demand on each side. The parliament, finding that there was no likelihood of coming to any agreement, suddenly recalled their commissioners.

A military enterprise, which they had concerted early in the spring, was immediately undertaken. Reading, the garrison of the king's which lay nearest to London, was esteemed a place of considerable strength in that age, when the art of attacking towns was

not well understood in Europe, and was totally unknown in England. The earl of Essex sat down before this place (15th April) with an army of eighteen thousand men; and carried on the siege by regular approaches. Sir Arthur Aston, the governor, being wounded, colonel Fielding succeeded to the command. In a little time the town was found to be no longer in a condition of defence; and though the king approached, with an intention of obliging Essex to raise the siege, the disposition of the parliamentary army was so strong, as rendered the design impracticable. Fielding, therefore, was contented to yield the town (27th April), on condition that he should bring off all the garrison with the honours of war, and deliver up deserters. This last article was thought so ignominious and so prejudicial to the king's interests, that the governor was tried by a council of war, and condemned to lose his life, for consenting to it. His sentence was afterwards remitted by the king.³¹

Essex's army had been fully supplied with all necessities from London: even many superfluities and luxuries were sent them by the care of the zealous citizens: yet the hardships, which they suffered from the siege, during so early a season, had weakened them to such a degree, that they were no longer fit for any new enterprise. And the two armies, for some time, encamped in the neighbourhood of each other, without attempting, on either side, any action of moment.

Besides the military operations between the principal armies, which lay in the center of England; each county, each town, each family almost, was divided within itself; and the most violent convulsions shook the whole kingdom. Throughout the winter, continual efforts had every where been made by each party to surmount its antagonist; and the English, roused from the lethargy of peace, with eager, though unskilful hands, employed against their fellow-citizens their long-neglected weapons. The furious zeal for liberty and presbyterian discipline, which had hitherto run uncontrolled throughout the nation, now at last excited an equal ardour for monarchy and episcopacy; when the intention of abolishing these ancient modes of government was openly avowed by the parliament. Conventions for neutrality, though in several counties they had been entered into, and confirmed by the most solemn oaths, yet, being voted illegal by the two houses, were immediately broken;³² and the fire of discord was spread into every quarter. The alteration of discourse, the controversies of the pen, but, above all, the declamations of the pulpit, indisposed the minds of men towards each other, and propagated the blind rage of party.³³ Fierce, however, and inflamed as were the dispositions of the English, by a war both civil and religious, that great destroyer of

humanity; all the events of this period are less distinguished by atrocious deeds either of treachery or cruelty, than were ever any intestine discords, which had so long a continuance. A circumstance which will be found to reflect great praise on the national character of that people, now so unhappily roused to arms.

In the north, lord Fairfax commanded for the parliament, the earl of Newcastle for the king. The latter nobleman began those associations which were afterwards so much practised in other parts of the kingdom. He united in a league for the king the counties of Northumberland, Cumberland, Westmoreland, and the bishopric, and engaged, some time after, other counties in the same association. Finding that Fairfax, assisted by Hotham and the garrison of Hull, was making progress in the southern parts of Yorkshire, he advanced with a body of four thousand men, and took possession of York. At Tadcaster, he attacked the forces of the parliament, and dislodged them. but his victory was not decisive. In other encounters he obtained some inconsiderable advantages. But the chief benefit which resulted from his enterprises was, the establishing of the king's authority in all the northern provinces.

In another part of the kingdom, lord Brooke was killed by a shot, while he was taking possession of Litchfield for the parliament.³⁴ After a short combat, near Stafford, between the earl of Northampton and sir John Gell, the former, who commanded the king's forces, was killed, while he fought with great valour, and his forces, discouraged by his death, though they had obtained the advantage in the action, retreated into the town of Stafford.³⁵

Sir William Waller began to distinguish himself among the generals of the parliament. Active and indefatigable in his operations, rapid and enterprising; he was fitted by his genius to the nature of the war; which, being managed by raw troops, conducted by inexperienced commanders, afforded success to every bold and sudden undertaking. After taking Winchester and Chichester, he advanced towards Gloucester, which was in a manner blockaded by lord Herbert, who had levied considerable forces in Wales for the royal party.³⁶ While he attacked the Welsh on one side, a sally from Gloucester made impression on the other. Herbert was defeated; five hundred of his men killed on the spot; a thousand taken prisoners; and he himself escaped with some difficulty to Oxford. Hereford, esteemed a strong town, defended by a considerable garrison, was surrendered to Waller, from the cowardice of colonel Price the governor. Tewkesbury underwent the same fate. Worcester refused him admittance; and Waller, without placing any garrisons in his new conquests, retired to Gloucester, and he thence joined the army under the earl of Essex.³⁷

VICTORIES OF THE ROYALISTS IN THE WEST.

BUT the most remarkable actions of valour, during this winter-season, were performed in the west. When sir Ralph Hopton, with his small troop, retired into Cornwall before the earl of Bedford, that nobleman, despising so inconsiderable a force, abandoned the pursuit, and committed the care of suppressing the royal party to the sheriffs of the county. But the affections of Cornwall were much inclined to the king's service. While sir Richard Buller and sir Alexander Carew lay at Launceston, and employed themselves in executing the parliament's ordinance for the militia, a meeting of the county was assembled at Truro; and after Hopton produced his commission from the earl of Hertford, the king's general, it was agreed to execute the laws, and to expel these invaders of the county. The train-bands were accordingly levied, Launceston taken, and all Cornwall reduced to peace and to obedience under the king.

It had been usual for the royal party, on the commencement of these disorders, to claim, on all occasions, the strict execution of the laws, which they knew were favourable to them; and the parliament, rather than have recourse to the plea of necessity, and avow the transgression of any statute, had also been accustomed to warp the laws, and by forced constructions to interpret them in their own favour.³⁸ But though the king was naturally the gainer by such a method of conducting war, and it was by favour of law that the train-bands were raised in Cornwall; it appeared that those maxims were now prejudicial to the royal party. These troops could not legally, without their own consent, be carried out of the county; and consequently, it was impossible to push into Devonshire the advantage which they had obtained. The Cornish royalists, therefore, bethought themselves of levying a force which might be more serviceable. Sir Bevil Granville, the most beloved man of that country, sir Ralph Hopton, sir Nicholas Slanning, Arundel, and Trevannion, undertook, at their own charges, to raise an army for the king; and their great interest in Cornwall soon enabled them to effect their purpose. The parliament, alarmed at this appearance of the royalists, gave a commission to Ruthven, a Scotchman, governor of Plymouth, to march with all the forces of Dorset, Somerset, and Devon, and make an entire conquest of Cornwall. The earl of Stamford followed him at some distance with a considerable supply. Ruthven, having entered Cornwall by bridges thrown over the Tamar, hastened to an action; lest Stamford should join him, and obtain the honour of that victory which he looked for

with assurance. The royalists, in like manner, were impatient to bring the affair to a decision before Ruthven's army should receive so considerable a reinforcement. The battle was fought on Bradoc Down; and the king's forces, though inferior in number, gave a total defeat to their enemies. Ruthven, with a few broken troops, fled to Saltash; and when that town was taken, he escaped, with some difficulty, and almost alone, into Plymouth. Stamford retired, and distributed his forces into Plymouth and Exeter.

BATTLE OF STRATTON. *May. 16.*

NOTWITHSTANDING these advantages, the extreme want both of money and ammunition under which the Cornish royalists laboured, obliged them to enter into a convention of neutrality with the parliamentary party in Devonshire; and this neutrality held all the winter-season. In the spring it was broken by the authority of the two houses; and war recommenced with great appearance of disadvantage to the king's party. Stamford, having assembled a strong body of near seven thousand men, well supplied with money, provisions, and ammunition, advanced upon the royalists, who were not half his number, and were oppressed by every kind of necessity. Despair, joined to the natural gallantry of these troops, commanded by the prime gentry of the county, made them resolve, by one vigorous effort, to overcome all these disadvantages. Stamford being encamped on the top of a high hill near Stratton, they attacked him in four divisions, at five in the morning, having lain all night under arms. One division was commanded by lord Mohun and sir Ralph Hopton, another by sir Bevil Granville and sir John Berkeley, a third by Slanning and Trevannion, a fourth by Basset and Godolphin. In this manner the action began; the king's forces pressing with vigour those four ways up the hill, and their enemies obstinately defending themselves. The fight continued with doubtful success, till word was brought to the chief officers of the Cornish, that their ammunition was spent to less than four barrels of powder. This defect, which they concealed from the soldiers, they resolved to supply by their valour. They agreed to advance without firing till they should reach the top of the hill, and could be on equal ground with the enemy. The courage of the officers was so well seconded by the soldiers, that the royalists began on all sides to gain ground. Major-general Chidley, who commanded the parliamentary army (for Stamford kept at a distance) failed not in his duty; and when he saw his men recoil, he himself advanced with a good stand of pikes, and piercing into the thickest of the enemy, was at last overpowered by numbers, and taken prisoner.

His army, upon this disaster, gave ground apace; insomuch that the four parties of the royalists, growing nearer and nearer as they ascended, at length met together upon the plain at the top; where they embraced with great joy, and signalized their victory with loud shouts and mutual congratulations.³⁹

BATTLE OF LANSDOWN. *July 5.*

AFTER this success, the attention both of king and parliament was turned towards the west, as to a very important scene of action. The king sent thither the marquis of Hertford and prince Maurice with a reinforcement of cavalry; who having joined the Cornish army, soon over-ran the county of Devon; and advancing into that of Somerset, began to reduce it to obedience. On the other hand, the parliament having supplied sir William Waller, in whom they much trusted, with a complete army, dispatched him westwards, in order to check the progress of the royalists. After some skirmishes, the two armies met at Lansdown, near Bath, and fought a pitched battle, with great loss on both sides, but without any decisive event.⁴⁰ The gallant Crayville was there killed; and Hopton, by the blowing up of some powder, was dangerously hurt. The royalists next attempted to march eastwards, and to join their forces to the king's at Oxford: but Waller hung on their rear, and infested their march till they reached the Devizes. Reinforced by additional troops, which flocked to him from all quarters, he so much surpassed the royalists in number, that they durst no longer continue their march, or expose themselves to the hazard of an action. It was resolved, that Hertford and prince Maurice should proceed with the cavalry; and having procured a reinforcement from the king, should hasten back to the relief of their friends. Waller was so confident of taking this body of infantry, now abandoned by the horse, that he wrote to the parliament, that their work was done, and that by the next post he would inform them of the number and quality of the prisoners. But the king, even before Hertford's arrival, hearing of the great difficulties to which his western army was reduced, had prepared a considerable body of cavalry, which he immediately dispatched to their succour under the command of lord Wilmot. Waller drew up on Roundway-down, about two miles from the Devizes (13th July); and advancing with his cavalry to fight Wilmot, and prevent his conjunction with the Cornish infantry, was received with equal valour by the royalists. After a sharp action he was totally routed, and flying with a few horse, escaped to Bristol. Wilmot, seizing the enemy's cannon, and having joined his friends, whom he came to relieve, attacked Waller's

infantry with redoubled courage, drove them off the field, and routed and dispersed the whole army.⁴¹

This important victory following so quick after many other successes, struck great dismay into the parliament, and gave an alarm to their principal army commanded by Essex. Waller exclaimed loudly against that general, for allowing Wilmot to pass him, and proceed without any interruption to the succour of the distressed infantry at the Devizes. But Essex, finding that his army fell continually to decay after the siege of Reading, was resolved to remain upon the defensive; and the weakness of the king, and his want of all military stores, had also restrained the activity of the royal army. No action had happened in that part of England, except one skirmish, which of itself was of no great consequence, and was rendered memorable by the death alone of the famous Hamblen.

Colonel Urrey, a Scotchman, who served in the parliamentary army, having received some disgust, came to Oxford, and offered his services to the king. In order to prove the sincerity of his conversion, he informed prince Rupert of the loose disposition of the enemy's quarters, and exhorted him to form some attempt upon them. The prince, who was entirely fitted for that kind of service, falling suddenly upon the dispersed bodies of Essex's army, routed two regiments of cavalry and one of infantry, and carried his ravages within two miles of the general's quarters. The alarm being given, every one mounted on horseback, in order to pursue the prince, to recover the prisoners, and to repair the disgrace which the army had sustained. Among the rest, Hamblen, who had a regiment of infantry that lay at a distance, joined the horse as a volunteer; and overtaking the royalists on Chalgrave field, entered into the thickest of the battle. By the bravery and activity of Rupert, the king's troops were brought off, and a great booty, together with two hundred prisoners, was conveyed to Oxford. But what most pleased the royalists was, the expectation that some disaster had happened to Hamblen, their capital and much dreaded enemy. One of the prisoners taken in the action said, that he was confident Mr. Hamblen was hurt: for he saw him, contrary to his usual custom, ride off the field, before the action was finished; his head hanging down, and his hands leaning upon his horse's neck. Next day, the news arrived, that he was shot in the shoulder with a brace of bullets, and the bone broken. Some days after, he died, in exquisite pain, of his wound; nor could his whole party, had their army met with a total overthrow, have been thrown into greater consternation. The king himself so highly valued him, that, either from generosity or

policy, he intended to have sent him his own surgeon to assist at his cure.¹²

Many were the virtues and talents of this eminent personage; and his valour, during the war, had shone out with a lustre equal to that of the other accomplishments by which he had ever been distinguished. Affability in conversation; temper, art, and eloquence in debate; penetration and discernment in council; industry, vigilance, and enterprise in action; all these praises are unanimously ascribed to him by historians of the most opposite parties. His virtues too, and integrity, in all the duties of private life, are allowed to have been beyond exception: we must only be cautious, notwithstanding his generous zeal for liberty, not hastily to ascribe to him the praises of a good citizen. Through all the horrors of civil war, he sought the abolition of monarchy, and subversion of the constitution; an end which, had it been attainable by peaceful measures, ought carefully to have been avoided by every lover of his country. But whether in the pursuit of this violent enterprise, he was actuated by private ambition, or by honest prejudices, derived from the former exorbitant powers of royalty, it belongs not to an historian of this age, scarcely even to an intimate friend, positively to determine. [*See note (II) at the end of this Vol.*]

BRISTOL TAKEN. *July 25.*

Essex, discouraged by this event, dismayed by the total rout of Waller, was farther informed, that the queen, who landed in Burlington-bay, had arrived at Oxford, and had brought from the north a reinforcement of three thousand foot and fifteen hundred horse. Dislodging from Thame and Aylesbury, where he had hitherto lain, he thought proper to retreat nearer London, and he showed to his friends his broken and disheartened forces, which a few months before he had led into the field in so flourishing a condition. The king, freed from this enemy, sent his army westward under prince Rupert, and, by their conjunction with the Cornish troops, a formidable force, for numbers as well as reputation and valour, was composed. That an enterprise, correspondent to men's expectations, might be undertaken, the prince resolved to lay siege to Bristol, the second town for riches and greatness in the kingdom. Nathaniel Fiennes, son of lord Say, he himself, as well as his father, a great parliamentary leader, was governor, and commanded a garrison of two thousand five hundred foot, and two regiments, one of horse, another of dragoons. The fortifications not being complete or regular, it was resolved by prince Rupert to storm the city; and next morning, with little other provisions suitable to such a work, besides the courage of the

troops, the assault began. The Cornish, in three divisions, attacked the west side, with a resolution which nothing could control: but though the middle division had already mounted the wall, so great was the disadvantage of the ground, and so brave the defence of the garrison, that in the end the assailants were repulsed with a considerable loss both of officers and soldiers. On the prince's side, the assault was conducted with equal courage, and almost with equal loss, but with better success.

One party, led by lord Grandison, was indeed beaten off, and the commander himself mortally wounded: another, conducted by colonel Bellasis, met with a like fate: but Washington, with a less party, finding a place in the curtain weaker than the rest, broke in, and quickly made room for the horse to follow. By this rupture, however, nothing but the suburbs was yet gained: the entrance into the town was still more difficult: and by the loss already sustained, as well as by the prospect of farther danger, every one was extremely discouraged: when, to the great joy of the army, the city sent a parley. The garrison was allowed to march out with their arms and baggage, leaving their cannon, ammunition, and colours. For this instance of cowardice, Fiennes was afterwards tried by a court-martial, and condemned to lose his head; but the sentence was remitted to the general.¹³

Great complaints were made of violence exercised on the garrison, contrary to the capitulation. An apology was made by the royalists, as if these were a retaliation for some violence committed on their friends at the surrender of Reading. And under pretence of like retaliations, but really from the extreme animosity of the parties, were such irregularities continued during the whole course of the

The loss sustained by the royalists, in the assault of Bristol, was considerable. Five hundred excellent soldiers perished. Among those of condition were Grandison, Slanning, Trevannion, and Moyle; Bellasis, Ashley, and sir John Owen, were wounded: yet was the success, upon the whole, so considerable, as mightily raised the courage of the one party, and depressed that of the other. The king, to show that he was not intoxicated with good fortune, nor aspired to a total victory over the parliament, published a manifesto; in which he renewed the protestation, formerly taken, with great solemnity, at the head of his army, and expressed his firm intention of making peace upon the re-establishment of the constitution. Having joined the camp at Bristol, and sent prince Maurice with a detachment into Devonshire, he deliberated how to employ the remaining forces in an enterprise of moment. Some proposed, and seemingly with reason, to march directly to London; where

every thing was in confusion, where the army of the parliament was baffled, weakened, and dismayed, and where, it was hoped, either by an insurrection of the citizens, by victory, or by treaty, a speedy end might be put to the civil disorders. But this undertaking, by reason of the great number and force of the London militia, was thought by many to be attended with considerable difficulties. Gloucester, lying within twenty miles, presented an easier, yet a very important conquest. It was the only remaining garrison possessed by the parliament in those parts. Could that city be reduced, the king held the whole course of the Severn under his command; the rich and malcontent counties of the west, having lost all protection from their friends, might be forced to pay high contributions, as an atonement for their disaffection; an open communication could be preserved between Wales and these new conquests; and half of the kingdom, being entirely freed from the enemy, and thus united into one firm body, might be employed in re-establishing the king's authority throughout the remainder. These were the reasons for embracing that resolution; fatal as it was ever esteemed, to the royal party.⁴⁵

SIEGE OF GLOUCESTER.

THE governor of Gloucester was one Massey, a soldier of fortune, who, before he engaged with the parliament, had offered his service to the king; and as he was free from the fumes of enthusiasm, by which most of the officers on that side were intoxicated, he would lend an ear, it was presumed, to proposals for accommodation: but Massey was resolute to preserve an entire fidelity to his masters; and though no enthusiast himself, he well knew how to employ to advantage that enthusiastic spirit so prevalent in his city and garrison. The summons to surrender (10th Aug.) allowed two hours for an answer: but before that time expired, there appeared before the king two citizens, with lean, pale, sharp, and dismal visages: faces, so strange and uncouth, according to lord Clarendon; figures, so habited and accoutred, as at once moved the most severe countenance to mirth, and the most cheerful heart to sadness: it seemed impossible, that such messengers could bring less than a defiance. The men, without any circumstance of duty or good manners, in a pert, shrill, undismayed accent, said, that they brought an answer from the godly city of Gloucester: and extremely ready were they, according to the historian, to give insolent and seditious replies to any question; as if their business were chiefly, by provoking the king, to make him violate his own safe-conduct. The answer from the city was in these words: "We, the inhabitants, magistrates, officers and soldiers,

within the garrison of Gloucester, unto his majesty's gracious message return this humble answer: that we do keep this city according to our oaths and allegiance, to and for the use of his majesty, and of his royal posterity: and do accordingly conceive ourselves wholly bound to obey the commands of his majesty, signified by both houses of parliament: and are resolved, by God's help, to keep this city accordingly."⁴⁶ After these preliminaries, the siege was resolutely undertaken by the army, and as resolutely sustained by the citizens and garrison.

When intelligence of the siege of Gloucester arrived in London, the consternation among the inhabitants was as great as if the enemy were already at their gates. The rapid progress of the royalists threatened the parliament with immediate subjection: the factions and discontents among themselves, in the city, and throughout the neighbouring counties, prognosticated some dangerous division or insurrection. Those parliamentary leaders, it must be owned, who had introduced such mighty innovations in the English constitution, and who had projected so much greater, had not engaged in an enterprise which exceeded their courage and capacity. Great vigour, from the beginning, as well as wisdom, they had displayed in all their counsels; and a furious, headstrong body, broken loose from the restraint of law, had hitherto been retained in subjection under their authority, and firmly united by zeal and passion, as by the most legal and established government. A small committee, on whom the two houses devolved their power, had directed all their military operations, and had preserved a secrecy in deliberation, and a promptitude in execution, beyond what the king, notwithstanding the advantages possessed by a single leader, had ever been able to attain. Sensible that no jealousy was by their partisans entertained against them, they had on all occasions exerted an authority much more despotic than the royalists, even during the pressing exigencies of war, could with patience endure in their sovereign. Whoever incurred their displeasure, or was exposed to their suspicions, was committed to prison, and prosecuted under the notion of delinquency: after all the old jails were full, many new ones were erected: and even the ships were crowded with the royalists, both gentry and clergy, who languished below decks, and perished in those unhealthy confinements: they imposed taxes, the heaviest, and of the most unusual nature, by an ordinance of the two houses: they voted a commission for sequestrations; and they seized, wherever they had power, the revenues of all the king's party:⁴⁷ and knowing that themselves, and all their adherents, were, by resisting the prince, exposed to the penalties of

laws, they resolved, by a severe administration to overcome these terrors, and to retain the people in obedience, by penalties of a more immediate execution. In the beginning of this summer, a combination, formed against them in London, had obliged them to exert the plenitude of their authority.

Edmund Waller, the first refiner of English versification, was a member of the lower house; a man of considerable fortune, and not more distinguished by his poetical genius than by his parliamentary talents, and by the politeness and elegance of his manners. As full of keen satire and invective in his eloquence, as of tenderness and panegyric in his poetry, he caught the attention of his hearers, and exerted the utmost boldness in blaming those violent counsels, by which the commons were governed. Finding all opposition within doors to be fruitless, he endeavoured to form a party without, which might oblige the parliament to accept of reasonable conditions, and restore peace to the nation. The charms of his conversation, joined to his character of courage and integrity, had procured him the entire confidence of Northumberland, Conway, and every eminent person of either sex, who resided in London. They opened their breasts to him without reserve, and expressed their disapprobation of the furious measures pursued by the commons, and their wishes that some expedient could be found for stopping so impetuous a career. Tomkins, Waller's brother-in-law, and Chaloner, the intimate friend of Tomkins, had entertained like sentiments: and as the connexions of these two gentlemen lay chiefly in the city, they informed Waller, that the same abhorrence of war prevailed there, among all men of reason and moderation. Upon reflection it seemed not impracticable, that a combination might be formed between the lords and citizens; and, by mutual concert, the illegal taxes be refused, which the parliament, without the royal assent, imposed on the people. While this affair was in agitation, and lists were making of such as they conceived to be well affected to their design, a servant of Tomkins, who had overheard their discourse, immediately carried intelligence to Pym. Waller, Tomkins, and Chaloner were seized, and tried by a court-martial.⁴⁸ They were all three condemned, and the two latter executed on gibbets erected before their own doors. A covenant, as a test, was taken⁴⁹ by the lords and commons, and imposed on their army, and on all who lived within their quarters. Besides resolving to amend and reform their lives, the covenanters there vow, that they will never lay down their arms so long as the papists, now in open war against the parliament, shall, by force of arms, be protected from justice; they express their abhorrence of the late conspiracy; and they promise to assist to the utmost the forces raised

by both houses, against the forces levied by the king.⁵⁰

Waller, as soon as imprisoned, sensible of the great danger into which he had fallen, was so seized with the dread of death, that all his former spirit deserted him; and he confessed whatever he knew without sparing his most intimate friends, without regard to the confidence reposed in him, without distinguishing between the negligence of familiar conversation, and the schemes of a regular conspiracy. With the most profound dissimulation, he counterfeited such remorse of conscience, that his execution was put off, out of mere christian compassion, till he might recover the use of his understanding. He invited visits from the ruling clergy of all sects; and while he expressed his own penitence, he received their devout exhortations with humility and reverence, as conveying clearer conviction and information than in his life he had ever before attained. Presents too, of which, as well as of flattery, these holy men were not insensible, were distributed among them; as a small retribution for their prayers and ghostly counsel. And by all these artifices, more than from any regard to the beauty of his genius, of which, during that time of furious cant and faction, small account would be made, he prevailed so far as to have his life spared, and a fine of ten thousand pounds accepted in lieu of it.⁵¹

The severity exercised against the conspiracy, or rather project, of Waller, increased the authority of the parliament, and seemed to ensure them against like attempts for the future. But by the progress of the king's arms, the defeat of sir William Waller, the taking of Bristol, the siege of Gloucester, a cry for peace was renewed, and with more violence than ever. Crowds of women, with a petition for that purpose, flocked about the house, and were so clamorous and importunate, that orders were given for dispersing them; and some of the females were killed in the fray.⁵² Bedford, Holland, and Conway had deserted the parliament, and had gone to Oxford; Clare and Lovelace had followed them.⁵³ Northumberland had retired to his country-seat. Essex himself showed extreme dissatisfaction, and exhorted the parliament to make peace.⁵⁴ The upper house sent down terms of accommodation, more moderate than had hitherto been insisted on. It even passed by a majority among the commons, that these proposals should be transmitted to the king. The zealous took the alarm. A petition against peace was framed in the city, and presented by Pennington, the factious mayor. Multitudes attended him, and renewed all the former menaces against the moderate party.⁵⁵ The pulpits thundered, and rumours were spread of twenty thousand Irish, who had landed, and were to cut the throat of every protestant.⁵⁶

The majority was again turned to the other side; and all thoughts of pacification being dropped, every preparation was made for resistance, and for the immediate relief of Gloucester, on which the parliament was sensible all their hopes of success in the war did so much depend.

Massey, resolute to make a vigorous defence, and having under his command a city and garrison ambitious of the crown of martyrdom, had hitherto maintained the siege with courage and abilities, and had much retarded the advances of the king's army. By continual sallies, he infested them in their trenches, and gained sudden advantages over them: by disputing every inch of ground, he repressed the vigour and alacrity of their courage, elated by former successes. His garrison, however, was reduced to the last extremity; and he failed not, from time to time, to inform the parliament, that, unless speedily relieved, he should be necessitated, from the extreme want of provisions and ammunition, to open his gates to the enemy.

The parliament, in order to repair their broken condition, and put themselves in a posture of defence, now exerted to the utmost their power and authority. They voted that an army should be levied under sir William Waller, whom, notwithstanding his misfortunes, they loaded with extraordinary caresses. Having associated in their cause the counties of Hertford, Essex, Cambridge, Norfolk, Suffolk, Lincoln, and Huntingdon, they gave the earl of Manchester a commission to be general of the association, and appointed an army to be levied under his command. But, above all, they were intent that Essex's army, on which their whole fortune depended, should be put in a condition of marching against the king. They excited afresh their preachers to furious declamations against the royal cause. They even employed the expedient of pressing, though abolished by a late law, for which they had strenuously contended.⁵⁷ And they engaged the city to send four regiments of its militia to the relief of Gloucester. All shops, meanwhile, were ordered to be shut; and every man expected, with the utmost anxiety, the event of that important enterprise.⁵⁸

Essex, carrying with him a well-appointed army of fourteen thousand men, took the road of Bedford and Leicester; and though inferior in cavalry, yet by the mere force of conduct and discipline, he passed over those open campaign countries, and defended himself from the enemy's horse, who had advanced to meet him, and who infested him during his whole march. As he approached to Gloucester, the king was obliged to raise the siege, and open the way for Essex to enter that city. The necessities of the garrison were extreme. One barrel of powder was their whole stock of am-

munition remaining; and their other provisions were in the same proportion. Essex had brought with him military stores; and the neighbouring country abundantly supplied him with victuals of every kind. The inhabitants had carefully concealed all provisions from the king's army, and pretending to be quite exhausted, had reserved their stores for that cause which they so much favoured.⁵⁹

The chief difficulty still remained. Essex dreaded a battle with the king's army, on account of its great superiority in cavalry; and he resolved to return, if possible, without running that hazard. He lay five days at Tewkesbury, which was his first stage after leaving Gloucester; and he feigned, by some preparations, to point towards Worcester. By a forced march during the night, he reached Cirencester, and obtained the double advantage of passing unmolested an open country, and of surprising a convoy of provisions which lay in that town.⁶⁰ Without delay he proceeded towards London; but when he reached Newbury, he was surprised to find that the king, by hasty marches, had arrived before him, and was already possessed of the place.

BATTLE OF NEWBURY. Sept. 20.

An action was now unavoidable; and Essex prepared for it with presence of mind, and not without military conduct. On both sides, the battle was fought with desperate valour and a steady bravery. Essex's horse were several times broken by the king's, but his infantry maintained themselves in firm array; and, besides giving a continued fire, they presented an invincible rampart of pikes against the furious shock of prince Rupert, and those gallant troops of gentry, of which the royal cavalry was chiefly composed. The militia of London especially, though utterly unacquainted with action, though drawn but a few days before from their ordinary occupations, yet having learned all military exercises, and being animated with unconquerable zeal for the cause in which they were engaged, equalled, on this occasion, what could be expected from the most veteran forces. While the armies were engaged with the utmost ardour, night put an end to the action, and left the victory undecided: Next morning, Essex proceeded on his march; and though his rear was once put in some disorder by an incursion of the king's horse, he reached London in safety, and received applause for his conduct and success in the whole enterprise. The king followed him on his march; and having taken possession of Reading, after the earl left it, he there established a garrison; and straitened, by that means, London, and the quarters of the enemy.⁶¹

In the battle of Newbury, on the part of the king, besides the earls of Sunderland and

Carpavon, two noblemen of promising hopes, were unfortunately slain, to the regret of every lover of ingenuity and virtue throughout the kingdom, Lucius Cary, viscount Falkland, secretary of state. Before assembling the present parliament, this man, devoted to the pursuits of learning, and to the society of all the polite and elegant, had enjoyed himself in every pleasure, which a fine genius, a generous disposition, and an opulent fortune could afford. Called into public life, he stood foremost in all attacks on the high prerogatives of the crown; and displayed that masculine eloquence, and undaunted love of liberty, which, from his intimate acquaintance with the sublime spirits of antiquity, he had greedily imbibed. When civil convulsions proceeded to extremities, and it became requisite for him to choose his side; he tempered the ardour of his zeal, and embraced the defence of those limited powers which remained to monarchy, and which he deemed necessary for the support of the English constitution. Still anxious, however, for his country, he seems to have dreaded the too prosperous success of his own party as much as of the enemy; and, among his intimate friends, often, after a deep silence and frequent sighs, he would, with a sad accent, reiterate the word *Peace*. In excuse for the too free exposing of his person, which seemed unsuitable in a secretary of state, he alleged, that it became him to be more active than other men in all hazardous enterprises, lest his impatience for peace might bear the imputation of cowardice or pusillanimity. From the commencement of the war, his natural cheerfulness and vivacity became clouded; and even his usual attention to dress, required by his birth and station, gave way to a negligence which was easily observable. On the morning of the battle in which he fell, he had shown some care of adorning his person; and gave for a reason, that the enemy should not find his body in any slovenly, indecent situation. "I am weary," subjoined he, "of the times, and foresee much misery to my country; but believe, that I shall be out of it ere night."⁶² This excellent person was but thirty-four years of age when a period was thus put to his life.

The loss sustained on, both sides in the battle of Newbury, and the advanced season, obliged the armies to retire into winter quarters.

ACTIONS IN THE NORTH.

In the north, during this summer, the great interest and popularity of the earl, now created marquis of Newcastle, had raised a considerable force for the king; and great hopes of success were entertained from that quarter. There appeared, however, in opposition to him, two men, on whom the event of the war finally de-

pendent, and who began about this time to be remarked for their valour and military conduct. These were sir Thomas Fairfax, son of the lord of that name, and Oliver Cromwel. The former gained a considerable advantage at Wakefield⁶³ over a detachment of royalists, and took general Goring prisoner; the latter obtained a victory at Gainsborough⁶⁴ over a party commanded by the gallant Cavendish, who perished in the action. But both these defeats of the royalists were more than sufficiently compensated by the total rout of lord Fairfax at Atherton moor,⁶⁵ and the dispersion of his army. After this victory, Newcastle, with an army of fifteen thousand men, sat down before Hull. Hotham was no longer governor of this place. That gentleman and his son, partly from a jealousy entertained of lord Fairfax, partly repenting of their engagements against the king, had entered into a correspondence with Newcastle, and had expressed an intention of delivering Hull into his hands. But their conspiracy being detected, they were ordered to London, without any regard to their former services, they fell, both of them, victims to the severity of the parliament.⁶⁶

Newcastle, having carried on the attack of Hull for some time, was beat off by a sally of the garrison,⁶⁷ and suffered so much, that he thought proper to raise the siege. About the same time, Manchester, who, advanced from the eastern associated counties, having joined Cromwel and young Fairfax, obtained a considerable victory over the royalists at Horn-castle; where the two officers last mentioned gained renown by their conduct and gallantry. And though fortune had thus balanced her favours, the king's party still remained much superior in those parts of England; and had it not been for the garrison of Hull, which kept Yorkshire in awe, a conjunction of the northern forces with the army in the south might have been made, and had probably enabled the king, instead of entering on the unfortunate, perhaps imprudent, enterprise of Gloucester, to march directly to London, and put an end to the war.⁶⁸

While the military enterprises were carried on with vigour in England, and the event became every day more doubtful, both parties cast their eye towards the neighbouring kingdoms, and sought assistance for the finishing of that enterprise, in which their own forces experienced such furious opposition. The parliament had recourse to Scotland; the king to Ireland.

When the Scottish covenanters obtained that end, for which they so earnestly contended, the establishment of presbyterian discipline in their own country, they were not satisfied, but indulged still an ardent passion for propagating, by all methods, that mode of religion in the

neighbouring kingdoms. Having flattered themselves, in the fervour of their zeal, that, by supernatural assistances, they should be enabled to carry their triumphant covenant to the gates of Rome itself, it behoved them first to render it prevalent in England, which already showed so great a disposition to receive it. Even in the articles of pacification, they expressed a desire of uniformity in worship with England; and the king, employing general expressions, had approved of this inclination, as pious and laudable. No sooner was there an appearance of a rupture, than the English parliament, in order to allure that nation into a close confederacy, openly declared their wishes of ecclesiastical reformation, and of imitating the example of their northern brethren.⁶⁹ When war was actually commenced, the same artifices were used; and the Scots beheld, with the utmost impatience, a scene of action, of which they could not deem themselves indifferent spectators. Should the king, they said, be able, by force of arms, to prevail over the parliament of England, and re-establish his authority in that powerful kingdom, he will undoubtedly retract all those concessions, which, with so many circumstances of violence and indignity, the Scots have extorted from him. Besides a sense of his own interest, and a regard to royal power, which has been entirely annihilated in this country; his very passion for prelacy and for religious ceremonies, must lead him to invade a church which he has ever been taught to regard as antichristian and unlawful. Let us but consider who the persons are that compose the factions now so furiously engaged in arms. Does not the parliament consist of those very men who have ever opposed all war with Scotland, who have punished the authors of our oppressions, who have obtained us the redress of every grievance, and who, with many honourable expressions, have conferred on us an ample reward for our brotherly assistance? And is not the court full of papists, prelates, malignants; all of them zealous enemies to our religious model, and resolute to sacrifice their lives for their idolatrous establishments? Not to mention our own necessary security; can we better express our gratitude to heaven for that pure light with which we are, above all nations, so eminently distinguished, than by conveying the same divine knowledge to our unhappy neighbours, who are wading through a sea of blood in order to attain it? These were, in Scotland, the topics of every conversation: with these doctrines the pulpits echoed: and the famous curse of Meroz, that curse so solemnly denounced, and reiterated against neutrality and moderation, resounded from all quarters.⁷⁰

The parliament of England had ever invited the Scots, from the commencement of the civil dissensions, to interpose their mediation, which,

they knew, would be so little favourable to the king: and the king, for that very reason, had ever endeavoured, with the least offensive expressions to decline it.⁷¹ Early this spring, the earl of Loudon, the chancellor, with other commissioners, and attended by Henderson, a popular and intriguing preacher, was sent to the king at Oxford, and renewed the offer of mediation; but with the same success as before. The commissioners were also empowered to press the king on the article of religion, and to recommend to him the Scottish model of ecclesiastical worship and discipline. This was touching Charles in a very tender point: his honour, his conscience, as well as his interest, he believed to be intimately concerned in supporting prelacy and the liturgy. See note (1) at the end of this Vol. He begged the commissioners, therefore, to remain satisfied with the concessions which he had made to Scotland; and, having modelled their own church according to their own principles, to leave their neighbours in the like liberty, and not to intermeddle with affairs of which they could not be supposed competent judges.⁷²

The divines of Oxford, secure, as they imagined, of a victory, by means of their authorities from church history, their quotations from the fathers, and their spiritual arguments, desired a conference with Henderson, and undertook, by dint of reasoning, to convert that great apostle of the north: but Henderson, who had ever regarded as impious, the least doubt with regard to his own principles, and who knew of a much better way to reduce opponents than by employing any theological topics, absolutely refused all disputation or controversy. The English divines went away full of admiration at the blind assurance and bigoted prejudices of the man: he, on his part, was moved with equal wonder at their obstinate attachment to such palpable errors and delusions.

By the concessions, which the king had granted to Scotland, it became necessary for him to summon a parliament once in three years; and in June of the subsequent year, was fixed the period for the meeting of that assembly. Before that time elapsed, Charles flattered himself that he should be able, by some decisive advantage, to reduce the English parliament to a reasonable submission, and might then expect, with security, the meeting of a Scottish parliament. Though earnestly solicited by Loudon to summon presently that great council of the nation, he absolutely refused to give authority to men who had already excited such dangerous commotions, and who showed still the same disposition to resist and invade his authority. The commissioners, therefore, not being able to prevail in any of their demands, desired the king's passport for London, where they purposed to confer with the English parliament,⁷³ and being likewise

denied this request, they returned with extreme dissatisfaction to Edinburgh.

The office of conservators of the peace was newly erected in Scotland, in order to maintain the confederacy between the two kingdoms; and these, instigated by the clergy, were resolved, since they could not obtain the king's consent, to summon, in his name, but by their own authority, a convention of estates; and to bereave their sovereign of this article, the only one which remained of his prerogative. Under colour of providing for national peace, endangered by the neighbourhood of English armies, was a convention called;⁷¹ an assembly which, though it meets with less solemnity, has the same authority as a parliament, in raising money and levying forces. Hamilton, and his brother the earl of Lanerie, who had been sent into Scotland in order to oppose these measures, wanted either authority or sincerity; and passively yielded to the torrent. The general assembly of the church met at the same time with the convention, and exercising an authority almost absolute over the whole civil power, made every political consideration yield to their theological zeal and prejudices.

SOLEMN LEAGUE AND COVENANT.

The English parliament was, at that time, fallen into great distress; by the progress of the royal arms; and they gladly sent to Edinburgh commissioners, with ample powers, to treat of a nearer union and confederacy with the Scottish nation. The persons employed were the earl of Rutland, sir William Armyne, sir Henry Vane the younger, Thomas Hatcher, and Henry Darby, attended by Marshall and Nye, two clergymen of signal authority.⁷² In this negotiation, the man chiefly trusted was Vane, who, in eloquence, address, capacity, as well as in art and dissimulation, was not surpassed by any one, even during that age, so famous for active talents. By his persuasion was framed at Edinburgh, that **SOLEMN LEAGUE AND COVENANT**, which effaced all former protestations and vows taken in both kingdoms; and long maintained its credit and authority. In this covenant, the subscribers, besides engaging mutually to defend each other against all opponents, bound themselves to endeavour, without respect of persons, the extirpation of popery and prelacy, superstition, heresy, schism, and profaneness; to maintain the rights and privileges of parliaments, together with the king's authority; and to discover and bring to justice all incendiaries and malignants.⁷³

The subscribers of the covenant vowed also to preserve the reformed religion established in the church of Scotland; but, by the artifice of Vane, no declaration more explicit was made with regard to England and Ireland, than that these kingdoms should be reformed, according

to the word of God, and the example of the purest churches. The Scottish zealots, when prelacy was abjured, deemed this expression quite free from ambiguity, and regarded their own model as the only one which corresponded, in any degree, to such a description: but that able politician had other views, and while he employed his great talents in over-reaching the presbyterians, and secretly laughed at their simplicity, he had blindly devoted himself to the maintenance of systems still more absurd and more dangerous.

In the English parliament there remained some members, who, though they had been induced, either by private ambition, or by zeal for civil liberty, to concur with the majority, still retained an attachment to the hierarchy, and to the ancient modes of worship. But, in the present danger which threatened their cause, all scruples were laid aside; and the covenant, by whose means alone they could expect to obtain so considerable a reinforcement as the accession of the Scottish nation, was received without opposition (17th Sept.) The parliament, therefore, having first subscribed it themselves, ordered it to be received by all who lived under their authority.

ARMING OF THE SCOTS.

GREAT were the rejoicings among the Scots, that they should be the happy instruments of extending their mode of religion, and dissipating that profound darkness in which the neighbouring nations were involved. The general assembly applauded this glorious imitation of the piety displayed by their ancestors, who, they said, in three different applications, during the reign of Elizabeth, had endeavoured to engage the English, by persuasion, to lay aside the use of the surplice, tippet, and corner-cap.⁷⁴ The convention too, in the height of their zeal, ordered every one to swear to this covenant, under the penalty of confiscation; beside what farther punishment it should please the ensuing parliament to inflict on the refusers, as enemies to God, to the king, and to the Kingdom. And being determined that the sword should carry conviction to all recalcitrant minds, they prepared themselves, with great vigilance and activity, for their military enterprises. By means of a hundred thousand pounds, which they received from England; by the hopes of good pay and warm quarters; not to mention men's favourable disposition towards the cause; they soon completed their levies. And, having added, to their other forces, the troops which they had recalled from Ireland, they were, ready, about the end of the year, to enter England, under the command of their old general, the earl of Leven, with an army of above twenty thousand men.⁷⁵

The king, foreseeing this tempest which was gathering upon him, endeavoured to secure himself by every expedient; and he cast his eye towards Ireland, in hopes that this kingdom, from which his cause had already received so much prejudice, might at length contribute somewhat towards his protection and security.

STATE OF IRELAND.

AFTER the commencement of the Irish insurrection, the English parliament, though they undertook the suppression of it, had ever been too much engaged, either in military projects, or expeditions at home, to take any effectual step towards finishing that enterprise. They had entered, indeed, into a contract with the Scots, for sending over an army of ten thousand men into Ireland; and, in order to engage that nation in this undertaking, beside giving a promise of pay, they agreed to put Carriferge into their hands, and to invest their general with an authority quite independent of the English government. These troops, so long as they were allowed to remain, were useful, by diverting the force of the Irish rebels, and protecting in the north the small remnants of the British planters. But, except this contract with the Scottish nation, all the other measures of the parliament either were hitherto absolutely insignificant, or tended rather to the prejudice of the protestant cause in Ireland. By continuing their violent persecution, and still more violent menaces against priests and gypsies, they confirmed the Irish catholics in their rebellion, and cut off all hopes of indulgence and toleration. By disposing beforehand of all the Irish forfeitures to subscribers or adventurers, they rendered all men of property desperate, and seemed to threaten a total extirpation of the natives.⁷⁹ And while they thus infused zeal and animosity into the enemy, no measure was pursued which could tend to support or encourage the protestants, now reduced to the last extremities.

So great is the ascendant which, from a long course of successes, the English has acquired over the Irish nation, that though the latter, when they receive military discipline among foreigners, are not surpassed by any troops, they had never, in their own country, been able to make any vigorous effort for the defence or recovery of their liberties. In many encounters, the English, under lord More, sir William St. Leger, sir Frederic Hamilton, and others, had, though under great disadvantages of situation and numbers, put the Irish to rout, and returned in triumph to Dublin. The rebels raised the siege of Tredah, after an obstinate defence made by the garrison.⁸⁰ Ormond had obtained two complete victories at Kilrush and

Ross; and had brought relief to all the forts which were besieged or blockaded in different parts of the kingdom.⁸¹ But notwithstanding these successes, even the most common necessities of life were wanting to the victorious armies. The Irish, in their wild rage against the British planters, had laid waste the whole kingdom, and were themselves totally unfit, from their habitual sloth and ignorance, to raise any convenience of human life. During the course of six months no supplies had come from England, except the fourth part of one small vessel's lading. Dublin, to save itself from starving, had been obliged to send the greater part of its inhabitants to England. The army had little ammunition, scarcely exceeding forty barrels of gun-powder; not even shoes or clothes; and for want of food the soldiers had been obliged to eat their own horses. And though the distress of the Irish was not much inferior;⁸² besides that they were more hardened against such extremities, it was but a melancholy reflection, that the two nations, while they continued their furious animosities, should make desolate that fertile island, which might serve to the subsistence and happiness of both.

The justices and council of Ireland had been engaged, chiefly by the interest and authority of Ormond, to fall into an entire dependence on the king. Parsons, Temple, Loftus, and Meredith, who favoured the opposite party, had been removed; and Charles had supplied their place by others better affected to his service. A committee of the English house of commons, which had been sent over to Ireland, in order to conduct the affairs of that kingdom, had been excluded the council, in obedience to orders transmitted from the king.⁸³ And these were reasons sufficient, besides the great difficulties under which they themselves laboured, why the parliament was unwilling to send supplies to an army, which, though engaged in a cause much favoured by them, was commanded by their declared enemies. They even intercepted some small succours sent thither by the king.

The king, as he had neither money, arms, ammunition, nor provisions to spare from his own urgent wants, resolved to embrace an expedient, which might at once relieve the necessities of the Irish protestants, and contribute to the advancement of his affairs in England. A truce with the rebels, he thought, would enable his subjects in Ireland to provide for their own support, and would procure him the assistance of the army against the English parliament. But as a treaty with a people, so odious for their barbarities, and still more for their religion, might be represented in invidious colours, and renew all those calumnies with which he had been loaded; it was necessary to proceed with great caution in conducting

that measure. A remonstrance from the army was made to the Irish council, representing their intolerable necessities, and craving permission to leave the kingdom: and if that were refused, *We must have recourse*, they said, *to that first and primary law, with which God has endowed all men; we mean the law of nature, which teaches every creature to preserve itself.*⁸⁴ Memorials both to the king and parliament were transmitted by the justices and council, in which their wants and dangers are strongly set forth;⁸⁵ and though the general expressions in these memorials might perhaps be suspected of exaggeration, yet from the particular facts mentioned, from the confession of the English parliament itself,⁸⁶ and from the very nature of things, it is apparent that the Irish protestants were reduced to great extremities;⁸⁷ and it became prudent in the king, if not absolutely necessary, to embrace some expedient, which might secure them, for a time, from the ruin and misery with which they were threatened.

Accordingly, the king gave orders.⁸⁸ to Ormond and the justices to conclude, for a year, a cessation of arms with the council of Kilkenny, by whom the Irish were governed, and to leave both sides in possession of their present advantages. The parliament, whose business it was to find fault with every measure adopted by

the opposite party, and who would not lose so fair an opportunity of reproaching the king with his favour to the Irish papists, exclaimed loudly against this cessation. Among other reasons, they insisted upon the divine vengeance, which England might justly dread, for tolerating antichristian idolatry, on pretence of civil contracts and political agreements.⁸⁹ Religion, though every day employed as the engine of their own ambitious purposes, was supposed too sacred to be yielded up to the temporal interests or safety of kingdoms.

After the cessation, there was little necessity, as well as no means, of subsisting the army in Ireland. The king ordered Ormond, who was entirely devoted to him, to send over considerable bodies of it to England. Most of them continued in his service; but a small part, having imbibed in Ireland a strong animosity against the catholics, and hearing the king's party universally reproached with popery, soon after deserted to the parliament.

Some Irish catholics came over with these troops, had joined the royal army, where they continued the same cruelties and disorders to which they had been accustomed.⁹⁰ The parliament voted, that no quarter, in any action, should ever be given them: but prince Rupert, by making some reprisals, soon repressed this inhumanity.⁹¹

NOTES.

- 1 Clarendon, vol. iii. p. 4.
 2 Walker, p. 396.
 3 Warwick, p. 318.
 4 Clarendon, vol. iii. p. 1, 2.
 5 Clarendon, vol. iii. p. 18.
 6 Clarendon, vol. iii. p. 7.
 7 Clarendon, vol. iii. p. 7.
 8 Rushworth, vol. vi. p. 74.
 9 Clarendon, vol. iii. p. 10.
 10 Rushw. vol. v. p. 786. Dugd. p. 102.
 11 Whitlocke, p. 50.
 12 Rushworth, vol. vi. p. 689. Whitlocke, p. 61. Clarendon, vol. iii. p. 19.
 13 Clarendon, vol. vi. p. 2, 3, &c.
 14 Whitlocke, p. 60.
 15 Clarendon, vol. iii. p. 16, 17. Dugdale, p. 104.
 16 Clarendon, vol. iii. p. 25. May, book iii. p. 10.
 17 He was then Lord Willoughby.
 18 Clarendon, vol. iii. p. 41. Warwick, p. 211.
 19 Whitlocke, p. 59. Clarendon, vol. iii. p. 27, 28, &c.
 20 Clarendon, vol. iii. p. 41.
 21 Clarendon, vol. iii. p. 41, &c. May, book iii. p. 16, &c.
 22 Whitlocke, p. 61. Clarendon, vol. iii. p. 29.
 23 Whitlocke, p. 62. Clarendon, vol. iii. p. 73.
 24 Whitlocke, p. 62. Clarendon, vol. iii. p. 73.
 25 Whitlocke, p. 61.
 26 Clarendon, vol. iii. p. 87.
 27 Clarendon, vol. iii. p. 171.
 28 Whitlocke, p. 64.
 29 Rushworth, vol. vi. p. 202.
 30 Rushworth, vol. vi. p. 100. Clarendon, vol. iii. p. 10.
 31 Rushworth, vol. vi. p. 265, &c. Clarendon, vol. iii. p. 21, 218, &c.
 32 Clarendon, vol. iii. p. 137, 139.
 33 Dugdale, p. 92.
 34 He had taken possession of Litchfield, and was viewing from a window St Chad's cathedral, in which a party of the royalists had fortified themselves. He was cased in complete armour, but was shot through the eye by a random ball. Lord Broke was a zealous puritan, and had formerly said, that he hoped to see with his eyes the ruin of all the cathedrals of England. It was a super-
 ark of the royalists, that he was killed on St Chad's day by a shot from St Chad's cathedral, which pierced that very eye by which he hoped to see the ruin of all cathedrals. Dugdale, p. 118. Clarendon, &c.
 35 Whitlocke, p. 64. Rushworth, vol. vi. p. 152. Clarendon, vol. iii. p. 151.
 36 Rushworth, vol. vi. p. 2.
 37 Rushworth, vol. vi. p. 2.
 38 Clarendon, vol. iii. p. 1.
 39 Rushworth, vol. vi. p. 1.
 40 Clarendon, vol. iii. p. 284. Clarendon, vol. iii. p. 282.
 41 Rushworth, vol. vi. p. 211. Clarendon, vol. iii. p. 264.
 42 Rushworth, vol. vi. p. 264. Clarendon, vol. iii. p. 29.
 43 Clarendon, vol. iii. p. 297.
 44 Whitlocke, p. 69. May, book iii. p. 257. Clarendon, vol. iii. p. 30. May, book iii. p. 1.
 45 Rushworth, vol. vi. p. 326. Clarendon, vol. iii. p. 326.
 46 Whitlocke, p. 66. Rushworth, vol. vi. p. 310. Clarendon, vol. iii. p. 310.
 47 Rushworth, vol. vi. p. 337.
 48 Whitlocke, p. 67.
 49 Rushworth, vol. vi. p. 299.
 50 Rushworth, vol. vi. p. 336.
 51 Clarendon, vol. iii. p. 336.
 52 Rushworth, vol. vi. p. 299.
 53 Rushworth, vol. vi. p. 292.
 54 Clarendon, vol. iii. p. 292.
 55 Clarendon, vol. iii. p. 293. Clarendon, vol. iii. p. 347.
 56 Whitlocke, p. 70. Clarendon, vol. iii. p. 330, 331, &c.
 57 21st of May.
 58 30th of June.
 59 Rushworth, vol. vi. p. 279.
 60 12th of October.
 61 Warwick, p. 961. Walker, p. 278.
 62 Rushworth, vol. vi. p. 300. Clarendon, vol. iii. p. 68.
 63 Curse ye Meraz, and the angel of the Lord, curse ye bitterly the inhabitants thereof. Because they came not to the help of the Lord, to the help of the Lord against the mighty Judges, ch. v. ver. 24.
 64 Rushworth, vol. vi. p. 308.
 65 Rushworth, vol. vi. p. 406.
 66 22nd of June.
 67 Whitlocke, p. 73. Rushworth, vol. vi. p. 406. Clarendon, vol. iii. p. 300.
 68 Rushworth, vol. vi. p. 478. Clarendon, vol. iii. p. 273.
 69 Rushworth, vol. vi. p. 388.
 70 Clarendon, vol. iii. p. 388.
 71 A thousand Uls were given to every one that subscribed two hundred pounds, in Connaught to the subscribers of three hundred and fifty, in Munster for four hundred and fifty, in Leinster for six hundred.
 72 Rushworth, vol. vi. p. 506.
 73 Rushworth, vol. vi. p. 512.
 74 Rushworth, vol. vi. p. 332.
 75 Rushworth, vol. vi. p. 530. Clarendon, vol. iii. p. 107.
 76 Rushworth, vol. vi. p. 537.
 77 Rushworth, vol. vi. p. 538.
 78 See further, Carte's Ormond, vol. iii. No. 114, 127, 128, 129, 134, 136, 141, 143, 145, 198, 199. All these papers put it past doubt, that the necessities of the English army in Ireland were extreme. See further, Rushworth, vol. vi. p. 537, and Dugdale, p. 859, 854.
 79 7th September. See Rushworth, vol. vi. p. 537, 544, 547.
 80 See Rushworth, vol. vi. p. 557.
 81 Whitlocke, p. 78, 109.
 82 Rushworth, vol. vi. p. 680, 789.

CHAPTER LVII.

Invasion of the Scots.—Battle of Marston-Moor.—Battle of Cropredy Bridge.—Essex's Forces disarmed.—Second Battle of Newbury.—Rise and Character of the Independents.—Self-denying Ordinance.—Fairfax, Cromwell.—Treaty of Uxbridge.—Execution of Laud.

THE king had hitherto, during the course of the war, obtained many advantages over the parliament, and had raised himself from that low condition into which he had at first fallen, to be nearly upon an equal footing with his adversaries. Yorkshire, and all the northern counties, were reduced by the marquis of Newcastle; and, excepting Hull, the parliament was master of no garrison in these quarters. In the west, Plymouth alone, having been in vain besieged by prince Maurice, resisted the king's authority: and had it not been for the disappointment in the enterprise of Gloucester, the royal garrisons had reached, without interruption, from one end of the kingdom to the other; and had occupied a greater extent of ground than those of the parliament. Many of the royalists flattered themselves, that the same vigorous spirit, which had elevated them to the present height of power, would still favour their progress, and obtain them a final victory over their enemies. but those who judged more soundly, observed, that, besides the accession of the whole Scottish nation to the side of the parliament, the very principle on which the royal successes had been founded was every day acquired, more and more, by the opposite party. The king's troops, full of gentry and nobility, had exercised a valour superior to their enemies, and had hitherto been successful in almost every rencounter: but, in proportion as the whole nation became warlike, by the continuance of civil discords, this advantage was more equally shared; and superior numbers, it was expected, must at length obtain the victory. The king's troops also, ill paid, and destitute of every necessary, could not possibly be retained in equal discipline with the parliamentary forces, to whom all supplies were furnished from unexhausted stores and treasures.¹ The severity of manners, so much affected by these zealous religionists, assisted their military institutions; and the rigid inflexibility of character by which the austere reformers of church and state were distinguished, enabled the parliamentary chiefs to restrain their soldiers with stricter rules and more exact order. And while the king's officers indulged themselves even in greater licences than those to which, during times of peace, they had been ac-

customed, they were apt, both to neglect their military duty, and to set a pernicious example of disorder to the soldiers under their command.

At the commencement of the civil war, all Englishmen, who served abroad, were invited over, and treated with extraordinary respect: and most of them, being descended of good families, and, by reason of their absence, unacquainted with the new principles which depressed the dignity of the crown, had insisted under the royal standard. But it is observable that, though the military profession requires great genius, and long experience, in the principal commanders, all its subordinate duties may be discharged by ordinary talents, and from superficial practice. Citizens and country-gentlemen soon became excellent officers, and the general of greatest fame and capacity happened, all of them, to spring up on the side of the parliament. The courtiers and great nobility, in the other party, checked the growth of any extraordinary genius among the subordinate officers; and every man there, as in a regular established government, was confined to the station in which his birth had placed him.

The king, that he might make preparations, during winter, for the ensuing campaign, summoned to Oxford all the members of either house, who adhered to his interests; and endeavoured to avail himself of the name of parliament, so passionately cherished by the English nation.² The house of peers was pretty full; and, besides the nobility employed in different parts of the kingdom, it contained twice as many members as commonly voted at Westminster. The house of commons consisted of about a hundred and forty; which amounted not to above half of the other house of commons.³

So extremely light had government hitherto lain upon the people, that the very name of excise was unknown to them; and, among other evils arising from these domestic wars, was the introduction of that impost into England. The parliament at Westminster having voted an excise on beer, wine, and other commodities; those at Oxford imitated the example, and conferred that revenue on the king. And, in order to enable him the better to recruit his army, they granted him the sum

of a hundred thousand pounds, to be levied by way of loan upon the subject. The king circulated privy-seals, countersigned by the speakers of both houses, requiring the loan of particular sums from such persons as lived within his quarters.⁴ Neither party had as yet got above the pedantry of reproaching their antagonists with these illegal measures.

The Westminster parliament passed a whimsical ordinance, commanding all the inhabitants of London and the neighbourhood to retrench a meal a week; and to pay the value of it for the support of the public cause.⁵ It is easily imagined, that, provided the money were paid, they troubled themselves but little about the execution of their ordinance.

Such was the king's situation, that, in order to restore peace to the nation, he had no occasion to demand any other terms than the restoring of the laws and constitution; the replacing him in the same rights which had ever been enjoyed by his predecessors; and the re-establishing, on its ancient basis the whole frame of government, civil as well as ecclesiastical. And, that he might facilitate an end seemingly so desirable, he offered to employ means equally popular, an universal act of oblivion, and a toleration or indulgence to tender consciences. Nothing therefore could contribute more to his interests than every discourse of peace, and every discussion of the conditions upon which that blessing could be obtained. For this reason, he solicited a treaty, on all occasions, and desired a conference and mutual examination of pretensions, even when he entertained no hopes that any conclusion could possibly result from it.

For like reasons, the parliament prudently avoided, as much as possible, all advances towards negotiation, and were cautious not to expose too easily to censure those high terms, which their apprehensions or their ambition made them previously demand of the king. Though their partisans were blinded with the thickest veil of religious prejudices, they dreaded to bring their pretensions to the test, or lay them open before the whole nation. In opposition to the sacred authority of the laws, to the venerable precedents of many ages, the popular leaders were ashamed to plead nothing but fears and jealousies which were not avowed by the constitution, and for which neither the personal character of Charles, so full of virtue, nor his situation, so deprived of all independent authority, seemed to afford any reasonable foundation. Grievances which had been fully redressed; powers, either legal or illegal, which had been entirely renounced; it seemed unpopular and invidious, and ungrateful, any farther to insist on.

The king, that he might abate the universal veneration paid to the name of parliament, had issued a declaration, in which he set forth all

the tumults by which himself and his partisans in both houses had been driven from London; and he thence inferred that the assembly at Westminster was no longer a free parliament, and, till its liberty were restored, was entitled to no authority. As this declaration was an obstacle to all treaty, some contrivance seemed requisite, in order to elude it.

A letter was written in the foregoing spring, to the earl of Essex, and subscribed by the prince, the duke of York, and forty-three noblemen.⁶ They there exhort him to be an instrument of restoring peace, and to promote that happy end with those by whom he was employed. Essex, though much disgusted with the parliament, though apprehensive of the extremities to which they were driving, though desirous of any reasonable accommodation; yet was still more resolute to preserve an honourable fidelity to the trust reposed in him. He replied, that as the paper sent him neither contained any address to the two houses of parliament, nor any acknowledgment of their authority, he could not communicate it to them. Like proposals had been reiterated by the king, during the ensuing campaign, and still met with a like answer from Essex.⁷

In order to make a new trial for a treaty, the king, this spring, sent another letter, directed to the lords and commons of parliament assembled at Westminster: but as he also mentioned, in the letter, the lords and commons of parliament assembled at Oxford, and declared that his scope and intention was to make provision that all the members of both houses might securely meet in a full and free assembly; the parliament, perceiving the conclusion implied, refused all treaty upon such terms.⁸ And the king, who knew what small hopes there were of accommodation, would not abandon the pretensions which he had assumed; nor acknowledge the two houses, more expressly, for a free parliament.

This winter the famous Pym died; a man as much hated by one party, as respected by the other. At London, he was considered as the victim to national liberty, who had abridged his life by incessant labours for the interest of his country.⁹ at Oxford he was believed to have been struck with an uncommon disease, and to have been consumed with vermin; as a mark of divine vengeance, for his multiplied crimes and treasons. He had been so little studious of improving his private fortune in those civil wars, of which he had been one principal author, that the parliament thought themselves obliged, from gratitude, to pay the debts which he had contracted.¹⁰ We now return to the military operations, which, during the winter, were carried on with vigour in several places, notwithstanding the severity of the season.

The forces brought from Ireland were landed at Mostyne, in North Wales; and being put

under the command of lord Biron, they besieged and took the castles of Hawarden, Beeston, Acton, and Deddington house.¹¹ No place in Cheshire or the neighbourhood now adhered to the parliament, except Nantwich: and to this town Biron laid siege during the depth of winter. Sir Thomas Fairfax, alarmed at so considerable a progress of the royalists, assembled an army of four thousand men in Yorkshire, and having joined sir William Brereton, was approaching to the camp of the enemy. Biron and his soldiers, elated with successes obtained in Ireland, had entertained the most profound contempt for the parliamentary forces; a disposition which, if confined to the army, may be regarded as a good presage of victory; but if it extend to the general, is the most probable forerunner of a defeat. Fairfax suddenly attacked the camp of the royalists (25th Jan.) The swelling of the river by a thaw divided one part of the army from the other. That part exposed to Fairfax, being beaten from their post, retired into the church of Acton, and were all taken prisoners: the other retreated with precipitation.¹² And thus was dissipated, or rendered useless, that body of forces which had been drawn from Ireland; and the parliamentary party revived in those north-west counties of England.

INVASION FROM SCOTLAND.

THE invasion from Scotland was attended with consequences of much greater importance. The Scots, having summoned in vain the town of Newcastle, which was fortified by the vigilance of sir Thomas Glenham, passed the Tyne (22nd Feb.); and faced the marquis of Newcastle, who lay at Durham with an army of fourteen thousand men.¹³ After some military operations, in which that nobleman reduced the enemy to difficulties for forage and provisions, he received intelligence of a great disaster which had befallen his forces in Yorkshire. Colonel Bellasis, whom he had left with a considerable body of troops, was totally routed at Selby (11th April) by sir Thomas Fairfax, who had returned from Cheshire with his victorious forces.¹⁴ Afraid of being inclosed between two armies, Newcastle retreated; and Leven having joined lord Fairfax, they sat down before York, to which the army of the royalists had retired. But as the parliamentary and Scottish forces were not numerous enough to invest so large a town, divided by a river, they contented themselves with incommoding it by a loose blockade; and affairs remained, for some time, in suspense between these opposite armies.¹⁵

During this winter and spring, other parts of the kingdom had also been infested with war. Hopton, having assembled an army of fourteen thousand men, endeavoured to break into Sussex, Kent, and the southern association,

which seemed well disposed to receive him. Waller fell upon him at Cherington,¹⁶ and gave him a defeat of considerable importance. In another quarter, siege being laid to Newark, by the parliamentary forces, prince Rupert prepared himself for relieving a town of such consequence, which alone preserved the communication open between the king's southern and northern quarters.¹⁷ With a small force, but that animated by his active courage, he broke through the enemy, relieved the town, and totally dissipated that army of the parliament.¹⁸

But though fortune seemed to have divided her favours between the parties, the king found himself, in the main, a considerable loser by this winter-campaign; and he prognosticated a still worse event from the ensuing summer. The preparations of the parliament were great, and much exceeded the slender resources of which he was possessed. In the eastern association, they levied fourteen thousand men, under the earl of Manchester, seconded by Cromwel.¹⁹ An army of ten thousand men, under Essex, another of nearly the same force under Waller, were assembled in the neighbourhood of London. The former was destined to oppose the king: the latter was appointed to march into the west, where prince Maurice, with a small army which went continually to decay, was spending his time in vain before Lyme, an inconsiderable town upon the sea-coast. The utmost efforts of the king could not raise above ten thousand men at Oxford; and on their sword chiefly, during the campaign, were these to depend for subsistence.

The queen, terrified with the dangers which every way environed her, and afraid of being enclosed in Oxford, in the middle of the kingdom, fled to Exeter, where she hoped to be delivered unmolested of the child with which she was now pregnant, and whence she had the means of an easy escape into France, if pressed by the forces of the enemy. She knew the implacable hatred which the parliament, on account of her religion and her credit with the king, had all along borne her. Last summer the commons had sent up to the peers an impeachment of high treason against her; because, in his utmost distresses, she had assisted her husband with arms and ammunition, which she had bought in Holland.²⁰ And had she fallen into their hands, neither her sex, she knew, nor high station, could protect her against insults at least, if not danger, from those haughty republicans, who so little affected to conduct themselves by the maxims of gallantry and politeness.

From the beginning of these dissensions, the parliament, it is remarkable, had, in all things, assumed an extreme ascendant over their sovereign, and had displayed a violence, and arrogated an authority, which, on his side, would not have been compatible either with his

temper or his situation. While he spoke perpetually of pardoning all *rebels*; they talked of nothing but the punishment of *delinquents* and *malignants*: while he offered a toleration and indulgence to tender consciences; they threatened the utter extirpation of prelacy: to his professions of unity, they opposed declarations of rigour; and the more the ancient tenor of the laws inculcated a respectful subordination to the crown, the more careful were they, by their lofty pretensions, to cover that defect under which they laboured.

BATTLE OF MARSTON-MOOR. *July 2.*

THEIR great advantages in the north seemed to second their ambition, and finally to promise them success in their unwarrantable enterprises. Manchester, having taken Lincoln, had united his army to that of Leven and Fairfax; and York was now closely besieged by their combined forces. That town, though vigorously defended by Newcastle, was reduced to extremity; and the parliamentary generals, after enduring great losses and fatigues, flattered themselves that all their labours would at last be crowned by this important conquest. On a sudden, they were alarmed by the approach of prince Rupert. This gallant commander, having vigorously exerted himself in Lancashire and Cheshire, had collected a considerable army; and, joining sir Charles Lucas, who commanded Newcastle's horse, hastened to the relief of York, with an army of twenty thousand men. The Scottish and parliamentary generals raised the siege, and, drawing up on Marston-moor, purposed to give battle to the royalists. Prince Rupert approached the town by another quarter, and, interposing the river Ouse between him and the enemy, safely joined his forces to those of Newcastle. The marquis endeavoured to persuade him, that, having so successfully effected his purpose, he ought to be content with the present advantages, and leave the enemy, now much diminished by their losses, and discouraged by their ill success, to dissolve, by those mutual dissensions which had begun to take place among them.³¹ The prince, whose martial disposition was not sufficiently tempered with prudence, nor softened by complaisance, pretending positive orders from the king, without deigning to consult with Newcastle, whose merits and services deserved better treatment, immediately issued orders for battle, and led out the army to Marston-moor.³² This action was obstinately disputed between the most numerous armies that were engaged during the course of these wars; nor were the forces on each side much different in number. Fifty thousand British troops were led to mutual slaughter; and the victory seemed long undecided between them. Prince Rupert, who commanded the right wing

of the royalists, was opposed to Cromwel,³³ who conducted the choice troops of the parliament, immerged in danger under that determined leader, animated by zeal, and confirmed by the most rigid discipline. After a short combat, the avary of the royalists gave way; and such of the infantry as stood next them were likewise borne down, and put to flight. Newcastle's regiment alone, resolute to conquer or to perish, obstinately kept their ground, and maintained, by their dead bodies, the same order in which they had at first been ranged. In the other wing, sir Thomas Fairfax and colonel Lambert, with some troops, broke through the royalists; and, transported by the ardour of pursuit, soon reached their victorious friends, engaged also in pursuit of the enemy. But after that tempest was past, Lucas, who commanded the royalists in this wing, restoring order to his broken forces, made a furious attack on the parliamentary cavalry, threw them into disorder, pushed them upon their own infantry, and put that whole wing to rout. When ready to seize on their carriages and baggage, he perceived Cromwel, who was now returned from pursuit of the other wing. Both sides were not a little surprised to find that they must again renew the combat for that victory which each of them thought they had already obtained. The front of the battle was now exactly counterchanged; and each army occupied the ground which had been possessed by the enemy at the beginning of the day. This second battle was equally furious and desperate with the first; but after the utmost efforts of courage by both parties, victory wholly turned to the side of the parliament. The prince's train of artillery was taken; and his whole army pushed off the field of battle.³⁴

This event was in itself a mighty blow to the king; but proved more fatal in its consequences. The marquis of Newcastle was entirely lost to the royal cause. That nobleman, the ornament of the court and of his order, had been engaged, contrary to the natural bent of his disposition, into these military operations, merely by a high sense of honour, and a personal regard to his master. The dangers of war were disregarded by his valour; but its fatigues were oppressive to his natural indolence. Munificent and generous in his espence; polite and elegant in his taste; courteous and humane in his behaviour; he brought a great accession of friends and of credit to the party which he embraced. But amidst all the hurry of action, his inclinations were secretly drawn to the soft arts of peace, in which he took delight; and the charms of poetry, music, and conversation, often stole him from his rougher occupations. He chose sir William Davenant, an ingenious poet, for his lieutenant-general: the other persons, in whom he placed confidence, were more the instrument of his refined pleasures, than qualified for the business which they

undertook: and the severity and application requisite to the support of discipline, were qualities in which he was entirely wanting.²⁵

When prince Rupert, contrary to his advice, resolved on this battle, and issued all orders, without communicating his intentions to him, he took the field, but, he said, merely as a volunteer; and, except by his personal courage, which shone out with lustre, he had no share in the action. Enraged to find that all his successful labours were rendered abortive by one act of fatal temerity, terrified with the prospect of renewing his pains and fatigue, he resolved no longer to maintain the few resources which remained to a desperate cause, and thought that the same regard to honour, which had at first called him to arms, now required him to abandon a party, where he met with such unworthy treatment. Next morning early he sent word to the prince that he was instantly to leave the kingdom; and, without delay, he went to Scarborough, where he found a vessel, which carried him beyond sea. During the ensuing years, till the restoration, he lived abroad in great necessity, and saw, with indifference, his opulent fortune sequestered by those who assumed the government of England. He disdained, by submission or composition to show obedience to their usurped authority; and the least favourable censors of his merit allowed, that the fidelity and services of a whole life had sufficiently atoned for one rash action into which his passion had betrayed him.²⁶

Prince Rupert, with equal precipitation, drew off the remains of his army, and retired into Lancashire. Glenham, in a few days, was obliged to surrender York; and he marched out his garrison with all the honours of war (15th July.)²⁷ Lord Fairfax, remaining in the city, established his government in that whole county, and sent a thousand horse into Lancashire, to join with the parliamentary forces in that quarter, and attend the motions of prince Rupert: the Scottish army marched northwards, in order to join the earl of Cambray, who was advancing with ten thousand additional forces;²⁸ and to reduce the town of Newcastle, which they took by storm: the earl of Manchester, with Cromwel, to whom the fame of this great victory was chiefly ascribed, and who was wounded in the action, returned to the eastern association, in order to recruit his army.²⁹

While these events passed in the north, the king's affairs in the south were conducted with more success and greater abilities. Ruthven, a Scotchman, who had been created earl of Brentford, acted, under the king, as general.

BATTLE OF CROPREDY-BRIDGE. *June 29.*

The parliament soon completed their two armies commanded by Essex and Waller. The

great zeal of the city facilitated this undertaking. Many speeches were made to the citizens by the parliamentary leaders, in order to excite their ardour. Hollis, in particular, exhorted them not to spare, on this important occasion, either their purses, their persons, or their prayers;³⁰ and, in general, it must be confessed, they were sufficiently liberal in all these contributions. The two generals had orders to march with their combined armies towards Oxford; and, if the king retired into that city, to lay siege to it, and by one enterprise put a period to the war. The king, leaving a numerous garrison in Oxford, passed with dexterity between the two armies, which had taken Abingdon, and had inclosed him on both sides.³¹ He marched towards Worcester; and Waller received orders from Essex to follow him and watch his motions; while he himself marched into the west in quest of prince Maurice. Waller had approached within two miles of the royal camp, and was only separated from it by the Severn, when he received intelligence that the king was advanced to Bewdley, and had directed his course towards Shrewsbury. In order to prevent him, Waller presently dislodged, and hastened by quick marches to that town; while the king, suddenly returning upon his own footsteps, reached Oxford; and having reinforced his army from that garrison, now in his turn marched out in quest of Waller. The two armies faced each other at Cropredy-bridge near Banbury; but the Charwell ran between them. Next day the king decamped, and marched towards Davenbury. Waller ordered a considerable detachment to pass the bridge, with an intention of falling on the rear of the royalists. He was repulsed, routed, and pursued with considerable loss.³² Stunned and disheartened with this blow, his army decayed and melted away by desertion; and the king thought he might safely leave it, and march westward against Essex. That general, having obliged prince Maurice to raise the siege of Lyme, having taken Weymouth and Taunton, advanced still in his conquests, and met with no equal opposition. The king followed him, and having reinforced an army from all quarters, appeared in the field with an army superior to the enemy. Essex retreating into Cornwall, informed the parliament of his danger, and desired them to send an army, which might fall on the king's rear. General Middleton received a commission to execute that service; but came too late. Essex's army, cooped up in a narrow corner at Lestithiel, deprived of all forage and provisions, and seeing no prospect of succour, was reduced to the last extremity. The king pressed them on one side; prince Maurice on another; sir Richard Granville on a third. Essex, Roberts, and some of the principal officers, escaped in a boat to Ply-

mouth; Balfour with his horse passed the king's out-post, in a thick mist, and got safely to the garrisons of his own party. The foot under Skippon were obliged to surrender their arms, artillery, baggage, and ammunition; and being conducted to the parliament's quarters, were dismissed. By this advantage, which was much boasted of, the king, besides the honour of the enterprise, obtained what he stood extremely in need of: the parliament, having preserved the men, lost what they could easily repair.³³

No sooner did this intelligence reach London, than the committee of the two kingdoms voted thanks to Essex for his fidelity, courage, and conduct; and this method of proceeding, no less politic than magnanimous, was preserved by the parliament throughout the whole course of the war. Equally indulgent to their friends and rigorous to their enemies, they employed, with success, these two powerful engines of reward and punishment, in confirmation of their authority.

SECOND BATTLE OF NEWBURY. Oct. 27.

THAT the king might have less reason to exult in the advantages which he had obtained in the west, the parliament opposed to him very numerous forces. Having armed anew Essex's subdued, but not disheartened troops, they ordered Manchester and Cromwel to march with their recruited forces from the eastern association; and joining their armies to those of Waller and Middleton, as well as of Essex, offer battle to the king. Charles chose his post at Newbury, where the parliamentary armies, under the earl of Manchester, attacked him with great vigour; and that town was a second time the scene of the bloody animosities of the English. Essex's soldiers, exhorting one another to repair their broken honour, and revenge the disgrace of Lestithiel, made an impetuous assault on the royalists; and having recovered some of their cannon, lost in Cornwall, could not forbear embracing them with tears of joy. Though the king's troops defended themselves with valour, they were overpowered by numbers; and the night came very seasonably to their relief, and prevented a total overthrow. Charles, leaving his baggage and cannon in Dennington-castle, near Newbury, forthwith retreated to Wallingford, and thence to Oxford. There prince Rupert and the earl of Northampton joined him, with considerable bodies of cavalry. Strengthened by this reinforcement, he ventured to advance towards the enemy, now employed before Dennington-castle.³⁴ Essex, detained by sickness, had not joined the army since his misfortune in Cornwall; Manchester, who commanded, though his forces were much superior to those of the king, declined an engagement, and rejected Cromwel's advice, who earnestly pressed him not to neglect so favour-

able an opportunity of finishing the war. The king's army by bringing off their cannon from Dennington-Castle, in the face of the enemy, seemed to have sufficiently repaired the honour which they had lost at Newbury; and Charles, having the satisfaction to excite, between Manchester and Cromwel, equal animosities with those which formerly took place between Essex and Waller,³⁵ distributed his army into winter-quarters. (23d Nov.)

Those contests among the parliamentary generals, which had disturbed their military operations, were renewed in London during the winter season; and each being supported by his own faction, their mutual reproaches and accusations agitated the whole city and parliament. There had long prevailed, in that party, a secret distinction, which, though the dread of the king's power had hitherto suppressed it, yet, in proportion as the hopes of success became nearer and more immediate, began to discover itself, with high contest and animosity. The INDEPENDENTS, who had, at first, taken shelter and concealed themselves under the wings of the PRESBYTERIANS, now evidently appeared a distinct party, and betrayed very different views and pretensions. We must here endeavour to explain the genius of this party, and of its leaders, who henceforth occupy the scene of action.

RISE AND CHARACTER OF THE INDEPENDENTS.

DURING those times, when the enthusiastic spirit met such honour and encouragement, and was the immediate means of distinction and preferment, it was impossible to set bounds to these holy fervours, or confine, within any natural limits, what was directed towards an infinite and a supernatural object. Every man, as prompted by the warmth of his temper, excited by emulation, or supported by his habits of hypocrisy, endeavoured to distinguish himself beyond his fellows, and to arrive at a higher pitch of saintship and perfection. In proportion to its degree of fanaticism, each sect became dangerous and destructive; and as the independents went a note higher than the presbyterians, they could less be restrained within any bounds of temper and moderation. From this distinction, as from a first principle, were derived, by a necessary consequence, all the other differences of these two sects.

The independents rejected all ecclesiastical establishments, and would admit of no spiritual courts, no government among pastors, no interposition of the magistrate in religious concerns, no fixed encouragement annexed to any system of doctrines or opinions. According to their principles, each congregation, united voluntarily and by spiritual ties, composed, within itself, a separate church, and exercised

a jurisdiction, but one destitute of temporal sanctions, over its own pastor and its own members. The election alone of the congregation was sufficient to bestow the sacerdotal character; and as all essential distinction was denied between the laity and the clergy, no ceremony, no institution, no vocation, no imposition of hands, was, as in all other churches, supposed requisite to convey a right to holy orders. The enthusiasm of the presbyterians led them to reject the authority of prelates, to throw off the restraint of liturgies, to retrench ceremonies, to limit the riches and authority of the priestly office: the fanaticism of the independents, exalted to a higher pitch, abolished ecclesiastical government, disdained creeds and systems, neglected every ceremony, and confounded all ranks and orders. The soldier, the merchant, the mechanic, indulging the fervours of zeal, and guided by the illapses of the spirit, resigned himself to an inward and superior direction, and was consecrated, in a manner, by an immediate intercourse and communion with heaven.

The catholics, pretending to an infallible guide, had justified, upon that principle, their doctrine and practice of persecution: the presbyterians, imagining that such clear and certain tenets, as they themselves adopted, could be rejected only from a criminal and pertinacious obstinacy, had hitherto gratified, to the full, their bigoted zeal, in a like doctrine and practice: the independents, from the extremity of the same zeal, were led into the milder principles of toleration. Their mind, set afloat in the wide sea of inspiration, could confine itself within no certain limits; and the same variations, in which an enthusiast indulged himself, he was apt, by a natural train of thinking, to permit in others. Of all christian sects this was the first, which, during its prosperity as well as its adversity, always adopted the principle of toleration; and it is remarkable that so reasonable a doctrine owed its origin, not to reasoning, but to the height of extravagance and fanaticism.

Popery and prelacy alone, whose genius seemed to tend towards superstition, were treated by the independents with rigour. The doctrines too of fate or destiny, were deemed by them essential to all religion. In these rigid opinions, the whole sectaries, amidst all their other differences, unanimously concurred.

The political system of the independents kept pace with their religious. Not content with confining to very narrow limits the power of the crown, and reducing the king to the rank of first magistrate, which was the project of the presbyterians; this sect, more ardent in the pursuit of liberty, aspired to a total abolition of the monarchy, and even of the aristocracy; and projected an entire equality of rank and order in a republic, quite free

and independent. In consequence of this scheme, they were declared enemies to all proposals for peace, except on such terms as, they knew, it was impossible to obtain; and they adhered to that maxim, which is, in the main, prudent and political, that, whoever draws the sword against his sovereign, should throw away the scabbard. By terrifying others with the fear of vengeance from the offended prince, they had engaged greater numbers into the opposition against peace, than had adopted their other principles with regard to government and religion. And the great success, which had already attended the arms of the parliament, and the greater, which was soon expected, confirmed them still further in this obstinacy.

Sir Harry Vane, Oliver Cromwel, Nathaniel Fiennes, and Oliver St. John, the solicitor-general, were regarded as the leaders of the independents. The earl of Essex, disgusted with a war, of which he began to foresee the pernicious consequences, adhered to the presbyterians, and promoted every reasonable plan of accommodation. The earl of Northumberland, fond of his rank and dignity, regarded with horror a scheme, which, if it took place, would confound himself and his family with the lowest in the kingdom. The earls of Warwic and Denbigh, sir Philip Stapleton, sir William Waller, Hollis, Massey, Whitlocke, Maynard, Glyn, had embraced the same sentiments. In the parliament, a considerable majority, and a much greater in the nation, were attached to the presbyterian party; and it was only by cunning and deceit at first, and afterwards by military violence, that the independents could entertain any hopes of success.

The earl of Manchester, provoked at the impeachment which the king had lodged against him, had long forwarded the war with alacrity; but, being a man of humanity and good principles, the view of public calamities, and the prospect of a total subversion of government, began to moderate his ardour, and inclined him to promote peace on any safe or honourable terms. He was even suspected, in the field, not to have pushed to the utmost against the king, the advantages obtained by the arms of the parliament; and Cromwel, in the public debates, revived the accusation, that this nobleman had wilfully neglected at Dennington-castle a favourable opportunity of finishing the war by a total defeat of the royalists. "I showed him evidently," said Cromwel, "how this success might be obtained; and only desired leave, with my own brigade of horse, to charge the king's army in their retreat; leaving it in the earl's choice, if he thought proper, to remain neuter with the rest of his forces: but, notwithstanding my importunity, he positively refused his consent; and gave no other reason but

that, if we meet with a defeat, there was an end of our pretensions: we should all be rebels and traitors, and be executed and forfeited by law."³⁶

Manchester, by way of recrimination, informed the parliament, that, at another time, Cromwel having proposed some scheme, to which it seemed improbable the parliament would agree, he insisted and said, *My lord, if you will stick firm to honest men, you shall find yourself at the head of an army, which shall give law both to king and parliament.* "This discourse," continued Manchester, "made the greater impression on me, because I knew the lieutenant-general to be a man of very deep designs; and he has even ventured to tell me, that it never would be well with England till I were Mr. Montague, and there were ne'er a lord or peer in the kingdom."³⁷ So full was Cromwel of these republican projects, that, notwithstanding his habits of profound dissimulation, he could not so carefully guard his expressions, but that sometimes his favourite notions would escape him.

These violent dissensions brought matters to extremity, and pushed the independents to the execution of their designs. The present generals, they thought, were more desirous of protracting than finishing the war; and having entertained a scheme for preserving still some balance in the constitution, they were afraid of entirely subduing the king, and reducing him to a condition where he should not be entitled to ask any concessions. A new model alone of the army could bring complete victory to the parliament, and free the nation from those calamities under which it laboured. But how to effect this project was the difficulty. The authority, as well as merits, of Essex was very great with the parliament. Not only he had served them all along with the most exact and scrupulous honour: it was, in some measure, owing to his popularity, that they had ever been enabled to levy an army, or make head against the royal cause. Manchester, Warwic, and the other commanders, had likewise great credit with the public; nor were there any hopes of prevailing over them, but by laying the plan of an oblique and artificial attack, which would conceal the real purpose of their antagonists. The Scots and Scottish commissioners, jealous of the progress of the independents, were a new obstacle; which, without the utmost art and subtlety, it would be difficult to surmount.³⁸ The methods by which this intrigue was conducted are so singular, and show so fully the genius of the age, that we shall give a detail of them, as they are delivered by lord Clarendon.³⁹

A fast, on the last Wednesday of every month, had been ordered by the parliament at the beginning of these commotions; and

their preachers, on that day, were careful to keep alive, by their vehement declamations, the popular prejudices entertained against the king, against prelacy, and against popery. The king, that he might combat the parliament with their own weapons, appointed likewise a monthly fast, when the people should be instructed in the duties of loyalty and of submission to the higher powers; and he chose the second Friday of every month for the devotion of the royalists.⁴⁰ It was now proposed and carried in parliament, by the independents, that a new and more solemn fast should be voted; when they should implore the divine assistance for extricating them from those perplexities in which they were at present involved. On that day, the preachers, after many political prayers, took care to treat of the reigning divisions in the parliament, and ascribed them entirely to the selfish ends pursued by the members. In the hands of those members, they said, are lodged all the considerable commands of the army, all the lucrative offices in the civil administration: and while the nation is falling every day into poverty, and groans under an insupportable load of taxes, these men multiply possession on possession, and will, in a little time, be masters of all the wealth of the kingdom. That such persons, who fatten on the calamities of their country, will ever embrace any effectual measure for bringing them to a period, or ensuring final success to the war, cannot reasonably be expected. Lingering expedients alone will be pursued; and operations in the field concurring, in the same pernicious end, with deliberations in the cabinet, civil commotions will for ever be perpetuated in the nation. After exaggerating these disorders the ministers returned to their prayers; and besought the Lord, that he would take his own work into his own hand; and if the instruments, whom he had hitherto employed, were not worthy to bring to a conclusion so glorious a design, that he would inspire others more fit, who might perfect what was begun, and by establishing true religion, put a speedy period to the public miseries.

On the day subsequent to these devout animalversions, when the parliament met, a new spirit appeared in the looks of many. Sir Henry Vane told the commons, that if ever God appeared to them, it was in the ordinances of yesterday: that, as he was credibly informed by many, who had been present in different congregations, the same lamentations and discourses, which the godly preachers had made before them, had been heard in other churches: that so remarkable a concurrence could proceed only from the immediate operation of the Holy Spirit: that he therefore intreated them, in vindication of their own honour, in consideration of their

duty to God and their country, to lay aside all private ends, and renounce every office attended with profit or advantage: that the absence of so many members, occupied in different employments, had rendered the house extremely thin, and diminished the authority of their determinations: and that he could not forbear, for his own part, accusing himself as one who enjoyed a gainful office, that of treasurer of the navy; and though he was possessed of it before the civil commotions, and owed it not to the favour of the parliament, yet was he ready to resign it, and to sacrifice, to the welfare of his country, every consideration of private interest and advantage.

Cromwel next acted his part, and commended the preachers for having dealt with them plainly and impartially, and told them of their errors, of which they were so unwilling to be informed. Though they dwelt on many things, he said, on which he had never before reflected; yet, upon revolving them, he could not but confess, that, till there were a perfect reformation in these particulars, nothing which they undertook could possibly prosper. The parliament, no doubt, continued he, had done wisely on the commencement of the war, in engaging several of its members in the most dangerous parts of it, and thereby satisfying the nation, that they intended to share all hazards with the meanest of the people. But affairs are now changed. During the progress of military operations, there have arisen, in the parliamentary armies, many excellent officers, who are qualified for higher commands than they are now possessed of. And though it becomes not men engaged in such a cause to *put trust in the arm of flesh*, yet he could assure them, that their troops contained generals fit to command in any enterprise in Christendom. The army indeed, he was sorry to say it, did not correspond, by its discipline, to the merit of the officers; nor were there any hopes, till the present vices and disorders, which prevail among the soldiers, were repressed by a new model, that their forces would ever be attended with signal success in any undertaking.

In opposition to this reasoning of the independents, many of the presbyterians showed the inconvenience and danger of the projected alteration. Whitlocke, in particular, a man of honour, who loved his country, though in every change of government he always adhered to the ruling power, said, that besides the ingratitude of discarding, and that by fraud and artifice, so many noble persons, to whom the parliament had hitherto owed its chief support; they would find it extremely difficult to supply the place of men, now formed by experience to command and authority: that the rank alone, possessed by such as were members of either house, prevented envy, retained the

army in obedience, and gave weight to military orders: that greater confidence might safely be reposed in men of family and fortune, than in mere adventurers, who would be apt to entertain separate views from those which were embraced by the persons who employed them: that no maxim of policy was more undisputed, than the necessity of preserving an inseparable connexion between the civil and military powers, and of retaining the latter in strict subordination to the former: that the Greeks and Romans, the wisest and most passionate lovers of liberty, had ever intrusted to their senators the command of armies, and had maintained an unconquerable jealousy of all mercenary forces: and that such men alone, whose interests were involved in those of the public, and who possessed a vote in the civil deliberations, would sufficiently respect the authority of parliament, and never could be tempted to turn the sword against those by whom it was committed to them.⁴¹

SELF-DENYING ORDINANCE.

NOTWITHSTANDING these reasonings, a committee was chosen to frame what was called the *self-denying ordinance*, by which the members of both houses were excluded from all civil and military employments, except a few offices which were specified. This ordinance was the subject of great debate, and, for a long time, rent the parliament and city into factions. But, at last, by the prevalence of envy with some; with others of false modesty; with a great many, of the republican and independent views; it passed the house of commons, and was sent to the upper house. The peers, though the scheme was, in part, levelled against their order; though all of them were, at bottom, extremely averse to it; though they even ventured once to reject it; yet possessed so little authority, that they durst not persevere in opposing the resolution of the commons; and they thought it better policy, by an unlimited compliance, to ward off that ruin which they saw approaching.⁴² The ordinance, therefore, having passed both houses, Essex, Warwic, Manchester, Denbigh, Waller, Brereton, and many others, resigned their commands, and received the thanks of parliament for their good services. A pension of ten thousand pounds a year was settled on Essex.

1645. It was agreed to recruit the army to twenty-two thousand men; and sir Thomas Fairfax was appointed general.⁴³ It is remarkable that his commission did not run, like that of Essex, in the name of the king and parliament, but in that of the parliament alone: and the article concerning the safety of the king's person was omitted. So much had animosities increased between the parties.⁴⁴ Cromwel,

being a member of the lower house, should have been discarded with the others; but this impartiality would have disappointed all the views of those who had introduced the self-denying ordinance. He was saved by a subtlety, and by that political craft, in which he was so eminent. At the time when the other officers resigned their commissions, care was taken that he should be sent with a body of horse, to relieve Taunton, besieged by the royalists. His absence being remarked, orders were dispatched for his immediate attendance in parliament; and the new general was directed to employ some other officer in that service. A ready compliance was feigned: and the very day was named, on which, it was averred, he would take his place in the house. But Fairfax, having appointed a rendezvous of the army, wrote to the parliament, and desired leave to retain, for some days, lieutenant-general Cromwel, whose advice, he said, would be useful in supplying the place of those officers who had resigned. Shortly after, he begged, with much earnestness, that they would allow Cromwel to serve that campaign.⁴⁵ And thus the independents, though the minority, prevailed by art and cunning over the presbyterians, and bestowed the whole military authority, in appearance, upon Fairfax; in reality, upon Cromwel.

FAIRFAX.

FAIRFAX was a person equally eminent for courage and for humanity; and though strongly infected with prejudices, or principles derived from religious and party zeal, he seems never, in the course of his public conduct, to have been diverted, by private interest or ambition, from adhering strictly to these principles. Sincere in his professions; disinterested in his views; open in his conduct; he had formed one of the most shining characters of the age; had not the extreme narrowness of his genius, in every thing but in war, and his embarrassed and confused elocution on every occasion, but when he gave orders, diminished the lustre of his merit, and rendered the part which he acted, even when vested with the supreme command, but secondary and subordinate.

CROMWEL.

CROMWEL, by whose sagacity and insinuation Fairfax was entirely governed, is one of the most eminent and most singular personages that occurs in history: the strokes of his character are as open and strongly marked, as the schemes of his conduct were, during the time, dark and impenetrable. His extensive capacity enabled him to form the most enlarged projects: his enterprising genius was not dismayed with the boldest and most dangerous. Carried by his natural temper to magnanimity, to

raudeur, and to an imperious and domineering policy, he yet knew, when necessary, to employ the most profound dissimulation, the most oblique and refined artifice, the semblance of the greatest moderation and simplicity. A friend to justice, though his public conduct was one continued violation of it; devoted to religion, though he perpetually employed it as the instrument of his ambition; he was engaged in crimes from the prospect of sovereign power, a temptation which is, in general, irresistible to human nature. And by using well that authority which he had attained by fraud and violence, he has lessened, if not overpowered, our detestation of his enormities, by our admiration of his success and of his genius.

TREATY OF UXBRIDGE.

DURING this important transaction of the self-denying ordinance, the negotiations for peace were likewise carried on, though with small hopes of success. The king having sent two messages, one from Evesham,⁴⁶ another from Tavistoke,⁴⁷ desiring a treaty, the parliament dispatched commissioners to Oxford, with proposals as high as if they had obtained a complete victory.⁴⁸ The advantages gained during the campaign, and the great distresses of the royalists, had much elevated their hopes; and they were resolved to repose no trust in men inflamed with the highest animosity against them, and who, were they possessed of power, were fully authorised by law to punish all their opponents as rebels and traitors.

The king, when he considered the proposals and the disposition of the parliament, could not expect any accommodation, and had no prospect but of war, or of total submission and subjection: yet, in order to satisfy his own party, who were impatient for peace, he agreed to send the duke of Richmond and earl of Southampton, with an answer to the proposals of the parliament, and at the same time to desire a treaty upon their mutual demands and pretensions.⁴⁹ It now became necessary for him to retract his former declaration, that the two houses at Westminster were not a free parliament; and accordingly he was induced, though with great reluctance, to give them, in his answer, the appellation of the parliament of England.⁵⁰ But it appeared afterwards by a letter which he wrote to the queen, and of which a copy was taken at Naseby, that he secretly entered an explanatory protest in his council book; and he pretended that, though he had called them the parliament, he had not thereby acknowledged them for such.⁵¹ This subtlety, which has been frequently objected to Charles, is the most noted of those very few instances, from which the enemies of this prince have endeavoured to load him with the imputation of insincerity; and have inferred,

that the parliament could repose no confidence in his professions and declarations, not even in his laws and statutes. There is, however, it must be confessed, a difference universally avowed between simply giving to men the appellation which they assume, and the formal acknowledgment of their title to it; nor is any thing more common and familiar in all public transactions.

The time and place of treaty being settled, sixteen commissioners from the king met at Uxbridge, with twelve authorised by the parliament, attended by the Scottish commissioners (30th Jan.) It was agreed, that the Scottish and parliamentary commissioners should give in their demands, with regard to three important articles, *religion, the militia, and Ireland*; and that these should be successively discussed in conference with the king's commissioners.⁵¹ It was soon found impracticable to come to any agreement with regard to any of these articles.

In the summer 1643, while the negotiations were carried on with Scotland, the parliament had summoned an assembly at Westminster, consisting of a hundred and twenty-one divines and thirty laymen, celebrated in their party for piety and learning. By their advice, alterations were made in the thirty-nine articles, or in the metaphysical doctrines of the church; and, what was of greater importance, the liturgy was entirely abolished, and, in its stead, a new directory for worship was established; by which, suitably to the spirit of the puritans, the utmost liberty, both in praying and preaching, was indulged to the public teachers. By the solemn league and covenant, episcopacy was abjured, as destructive of all true piety; and a national engagement, attended with every circumstance that could render a promise sacred and obligatory, was entered into with the Scots, never to suffer its re-admission. All these measures showed little spirit of accommodation in the parliament; and the king's commissioners were not surprised to find the establishment of presbytery and the directory positively demanded, together with the subscription of the covenant, both by the king and kingdom.⁵²

Had Charles been of a disposition to neglect all theological controversy, he yet had been obliged, in good policy, to adhere to episcopal jurisdiction, not only because it was favourable to monarchy, but because all his adherents were passionately devoted to it; and to abandon them, in what they regarded as so important an article, was for ever to relinquish their friendship and assistance. But Charles had never attained such enlarged principles. He deemed bishops essential to the very being of a christian church; and he thought himself bound, by more sacred ties than those of policy, or even of honour, to the support of that order.

His concessions, therefore, on this head, he judged sufficient, when he agreed that an indulgence should be given to tender consciences with regard to ceremonies; that the bishops should exercise no act of jurisdiction or ordination, without the consent and counsel of such presbyters as should be chosen by the clergy of each diocese; that they should reside constantly in their diocese, and be bound to preach every Sunday; that pluralities be abolished; that abuses in ecclesiastical courts be redressed; and that a hundred thousand pounds be levied on the bishops' estates and the chapter lands, for payment of debts contracted by the parliament.⁵³ These concessions, though considerable, gave no satisfaction to the parliamentary commissioners; and, without abating any thing of their rigour on this head, they proceeded to their demands with regard to the militia.

The king's partisans had all along maintained that the fears and jealousies of the parliament, after the securities so early and easily given to public liberty, were either feigned or groundless; and that no human institution could be better poised and adjusted, than was now the government of England. By the abolition of the star-chamber and court of high commission, the prerogative, they said, has lost all that coercive power by which it had formerly suppressed or endangered liberty: by the establishment of triennial parliaments, it can have no leisure to acquire new powers, or guard itself, during any time, from the inspection of that vigilant assembly: by the slender revenue of the crown, no king can ever attain such influence as to procure a repeal of these salutary statutes: and while the prince commands no military force, he will in vain, by violence, attempt an infringement of laws, so clearly defined by means of late disputes, and so passionately cherished by all his subjects. In this situation, surely, the nation, governed by so virtuous a monarch, may, for the present, remain in tranquillity, and try whether it be not possible, by peaceful arts, to elude that danger with which, it is pretended, its liberties are still threatened.

But though the royalists insisted on these plausible topics before the commencement of war, they were obliged to own, that the progress of civil commotions had somewhat abated the force and evidence of this reasoning. If the power of the militia, said the opposite party, be intrusted to the king, it would not now be difficult for him to abuse that authority. By the rage of intestine discord, his partisans are inflamed into an extreme hatred against their antagonists; and have contracted, no doubt, some prejudices against popular privileges, which, in their apprehension, have been the source of so much disorder. Were the arms of the state, therefore, pu-

entirely into such hands, what public security, it may be demanded, can be given to liberty, or what private security to those who, in opposition to the letter of the law, have so generously ventured their lives in its defence? In compliance with this apprehension, Charles offered, that the arms of the state should be intrusted, during three years, to twenty commissioners, who should be named, either by common agreement between him and the parliament, or one half by him, the other by the parliament. And after the expiration of that term, he insisted that his constitutional authority over the militia should again return to him.⁵⁵

The parliamentary commissioners at first demanded, that the power of the sword should for ever be intrusted to such persons as the parliament alone should appoint:⁵⁶ but, afterwards, they relaxed so far as to require that authority only for seven years; after which it was not to return to the king, but to be settled by bill, or by common agreement between him and his parliament.⁵⁷ The king's commissioners asked, Whether jealousies and fears were all on one side, and whether the prince, from such violent attempts and pretensions as he had experienced, had not, at least, as great reason to entertain apprehensions for his authority, as they for their liberty? Whether there were any equity in securing only one party, and leaving the other, during the space of seven years, entirely at the mercy of their enemies? Whether, if unlimited power were intrusted to the parliament during so long a period, it would not be easy for them to frame the subsequent bill in the manner most agreeable to themselves, and keep for ever possession of the sword, as well as of every article of civil power and jurisdiction?⁵⁸

The truth is, after the commencement of war, it was very difficult, if not impossible, to find security for both parties, especially for that of the parliament. Amidst such violent animosities, power alone could ensure safety; and the power on one side was necessarily attended with danger to the other. Few or no instances occur in history of an equal, peaceful, and durable accommodation, that has been concluded between two factions which had been enflamed into civil war.

With regard to Ireland, there were no greater hopes of agreement between the parties. The parliament demanded, that the truce with the rebels should be declared null; that the management of the war should be given over entirely to the parliament, and that, after the conquest of Ireland, the nomination of the lord lieutenant and of the judges, or, in other words, the sovereignty of that kingdom, should likewise remain in their hands.⁵⁹

What rendered an accommodation more

desperate was, that the demands on these three heads, however exorbitant, were acknowledged, by the parliamentary commissioners, to be nothing but preliminaries. After all these were granted, it would be necessary to proceed to the discussion of those other demands, still more exorbitant, which a little before had been transmitted to the king at Oxford. Such ignominious terms were there insisted on, that worse could scarcely be demanded, were Charles totally vanquished, a prisoner, and in chains. The king was required to attaint and except from a general pardon, forty of the most considerable of his English subjects, and nineteen of his Scottish, together with all popish recusants in both kingdoms who had borne arms for him. It was insisted, that forty-eight more, with all the members who had sitten in either house at Oxford, all lawyers and divines who had embraced the king's party, should be rendered incapable of any office, be forbidden the exercise of their profession, be prohibited from coming within the verge of the court, and forfeit the third of their estates to the parliament. It was required, that whoever had borne arms for the king, should forfeit the tenth of their estates, or if that did not suffice, the sixth, for the payment of public debts. As if royal authority were not sufficiently annihilated by such terms, it was demanded, that the court of wards should be abolished; that all the considerable officers of the crown, and all the judges should be appointed by parliament; and that the right of peace and war should not be exercised without the consent of that assembly.⁶⁰ The presbyterians, it must be confessed, after insisting on such conditions, differed only in words from the independents, who required the establishment of a pure republic. When the debates had been carried on to no purpose during twenty days among the commissioners, they separated, and returned; those of the king, to Oxford, those of the parliament, to London.

EXECUTION OF LAUD.

A LITTLE before the commencement of this fruitless treaty, a deed was executed by the parliament, which proved their determined resolution to yield nothing, but to proceed in the same violent and imperious manner with which they had at first entered on these dangerous enterprises. Archbishop Laud, the most favourite minister of the king, was brought to the scaffold; and in this instance the public might see, that popular assemblies, as, by their very number, they are, in a great measure, exempt from the restraint of shame, so, when they also overleap the bounds of law, naturally break out into acts of the greatest tyranny and injustice.

From the time that Laud had been committed, the house of commons, engaged in enterprises of greater moment, had found no leisure to finish his impeachment; and he had patiently endured so long an imprisonment without being brought to any trial. After the union with Scotland, the bigoted prejudices of that nation revived the like spirit in England; and the sectaries resolved to gratify their vengeance in the punishment of this prelate, who had so long, by his authority, and by the execution of penal laws, kept their zealous spirit under confinement. He was accused of high treason in endeavouring to subvert the fundamental laws, and of other high crimes and misdemeanors. The same illegality of an accumulative crime and a constructive evidence, which appeared in the case of Strafford; the same violence and iniquity in conducting the trial; are conspicuous throughout the whole course of this prosecution. The groundless charge of popery, though belied by his whole life and conduct, was continually urged against the prisoner; and every error rendered unpardonable by this imputation, which was supposed to imply the height of all enormities. "This man, my lords," said serjeant Wilde, concluding his long speech against him, "is like Naaman the Syrian; a great man, but a leper."⁶¹

We shall not enter into a detail of this matter, which, at present, seems to admit of little controversy. It suffices to say, that, after a long trial, and the examination of above a hundred and fifty witnesses, the commons found so little likelihood of obtaining a judicial sentence against Laud, that they were obliged to have recourse to their legislative authority, and to pass an ordinance for taking away the life of this aged prelate. Notwithstanding the low condition into which the house of peers was fallen, there appeared some intention of rejecting this ordinance; and the popular leaders were again obliged to apply to the multitude, and to extinguish, by threats of new tumults, the small remains of liberty possessed by the upper-house. Seven peers alone voted in this important question. The rest, either from shame or fear, took care to absent themselves.⁶²

Laud, who had behaved during his trial with spirit and vigour of genius, sunk not under the horrors of his execution; but though he had usually professed himself apprehensive of a violent death, he found all his fears to be dissipated before that superior courage by which he was animated. "No one," said he, "can be more willing to send me out of life, than I am desirous to go." Even upon the scaffold, and during the intervals of his prayers, he was harassed and molested by sir John Clotworthy, a zealot of the reigning sect, and a great leader in the lower house: this was the time he chose

for examining the principles of the dying primæ, and trepanning him into a confession, that he trusted for his salvation to the merits of good works, not to the death of the Redeemer.⁶³ Having extricated himself from these theological toils, the archbishop laid his head on the block; and it was severed from the body at one blow.⁶⁴ Those religious opinions, for which he suffered, contributed, no doubt, to the courage and constancy of his end. Sincere he undoubtedly was, and however misguided, actuated by pious motives in all his pursuits; and it is to be regretted, that a man of such spirit, who conducted his enterprises with so much warmth and industry, had not entertained more enlarged views, and embraced principles more favourable to the general happiness of society.

The great and important advantage which the party gained by Strafford's death may, in some degree, palliate the iniquity of the sentence pronounced against him: but the execution of this old infirm prelate, who had so long remained an inoffensive prisoner, can be ascribed to nothing but vengeance and bigotry in those severe religionists, by whom the parliament was entirely governed. That he deserved a better fate was not questioned by any reasonable man; the degree of his merit, in other respects, was disputed. Some accused him of recommending slavish doctrines, of promoting persecution, and of encouraging superstition; while others thought that his conduct, in these three particulars, would admit of apology and extenuation.

That the *letter* of the law, as much as the most flaming court-sermon, inculcates passive obedience, is apparent; and though the *spirit* of a limited government seems to require, in extraordinary cases, some mitigation of so rigorous a doctrine; it must be confessed, that the preceding genius of the English constitution had rendered a mistake in this particular very natural and excusable. To inflict death, at least on those who depart from the exact line of truth in these nice questions, so far from being favourable to national liberty, savours strongly of the spirit of tyranny and proscription.

Toleration had hitherto been so little the principle of any Christian sect, that even the catholics, the remnant of the religion professed by their forefathers, could not obtain from the English the least indulgence. This very house of commons, in their famous remonstrance, took care to justify themselves, as from the highest imputation, from any intention to relax the golden reins of discipline, as they called them, or to grant any toleration;⁶⁵ and the enemies of the church were so fair from the beginning, as not to lay claim to liberty of conscience, which they called a toleration for soul-murder. They openly challenged the

superiority, and even menaced the established church with that persecution which they afterwards exercised against her with such severity. And if the question be considered in the view of policy; though a sect, already formed and advanced, may, with good reason demand a toleration; what title had the puritans to this indulgence, who were just on the point of separation from the church, and whom, it might be hoped, some wholesome and legal severities would still retain in obedience? [*See note (K) at the end of this Vol.*]

Whatever ridicule, to a philosophical mind, may be thrown on pious ceremonies, it must be confessed, that, during a very religious age, no institutions can be more advantageous to the rude multitude, and tend more to mollify that fierce and gloomy spirit of devotion, to which they are subject. Even the English church, though it had retained a share of popish ceremonies, may justly be thought too naked and unadorned, and still to approach too near the abstract and spiritual religion of the puritans. Laud and his associates, by reviving a few primitive institutions of this nature, cor-

rected the error of the first reformers, and presented to the affrightened and astonished mind, some sensible, exterior observances, which might occupy it during its religious exercises, and abate the violence of its disappointed efforts. The thought, no longer bent on that divine and mysterious essence, so superior to the narrow capacities of mankind, was able, by means of the new model of devotion, to relax itself in the contemplation of pictures, postures, vestments, buildings; and all the fine arts, which minister to religion, thereby received additional encouragement. The primate, it is true, conducted this scheme, not with the enlarged sentiments and cool reflection of a legislator, but with the intemperate zeal of a sectary; and by overlooking the circumstances of the times, served rather to enflame that religious fury which he meant to repress. But this blemish is more to be regarded as a general imputation on the whole age, than any particular failing of Laud's; and it is sufficient for his vindication to observe, that his errors were the most excusable of all those which prevailed during that zealous period.

NOTES.

- 1 Rushworth, vol. vi. p. 560.
- 2 Rushworth, vol. vi. p. 559.
- 3 Rushworth, vol. p. 556, 574.
- 4 Rushworth, vol. vi. p. 590.
- 5 Dugdale, p. 119. Rushworth, vol. vi. p. 748.
- 6 Clarendon, vol. ii. p. 412. Rushworth, vol. i. p. 566. Whitlocke, p. 77.
- 7 Clarendon, vol. iii. p. 444. Rushworth, vol. vi. p. 569, 570. Whitlocke, p. 94.
- 8 Clarendon, vol. iii. p. 449. Whitlocke, p. 79.
- 9 Clarendon, vol. iii. p. 66.
- 10 Journ. 13th of February, 1643.
- 11 Rushworth, vol. vi. p. 299.
- 12 Rushworth, vol. vi. p. 301.
- 13 Rushworth, vol. vi. p. 615.
- 14 Rushworth, vol. vi. p. 618.
- 15 Rushworth, vol. vi. p. 620.
- 16 29th of March.
- 17 Rushworth, vol. vi. p. 306.
- 18 21st of March.
- 19 Rushworth, vol. vi. p. 621.
- 20 Rushworth, vol. vi. p. 921.
- 21 *Life of the Duke of Newcastle*, p. 40.
- 22 Clarendon, vol. v. p. 506.
- 23 Rushworth, part ii. vol. ii. p. 6.
- 24 Rushworth, vol. vi. p. 632. Whitlocke, p. 89.
- 25 Clarendon, vol. v. p. 507, 508.—See *Harvard*.
- 26 Clarendon, vol. v. p. 511.
- 27 Rushworth, vol. vi. p. 638.
- 28 Whitlocke, p. 88.
- 29 Rushworth, vol. vi. p. 641.
- 30 Rushworth, vol. vi. p. 662.
- 31 3rd of June.
- 32 Rushworth, vol. vi. p. 176. Clarendon, vol. v. p. 497. Sir Edward Walker, p. 31.
- 33 Rushworth, vol. vi. p. 699, &c. Whitlocke, p. 98. Clarendon, vol. v. p. 524, 525. Sir Edward Walker, p. 69, 70, &c.
- 34 Rushworth, vol. vi. p. 721, &c.
- 35 Rushworth, vol. vii. p. 1.
- 36 Clarendon, vol. v. p. 561.
- 37 Clarendon, vol. v. p. 562.
- 38 Clarendon, vol. v. p. 562.
- 39 Clarendon, vol. v. p. 565.
- 40 Rushworth, vol. vi. p. 364.
- 41 Whitlocke, p. 114, 115. Rushworth, vol. vii. p. 6.
- 42 Rushworth, vol. vii. p. 8, 15.
- 43 Whitlocke, p. 118. Rushworth, vol. vii. p. 7.
- 44 Whitlocke, p. 133.
- 45 Clarendon, vol. v. p. 629, 630. Whitlocke, p. 141.
- 46 4th of July, 1644.
- 47 8th of Sept. 1644.
- 48 Dugdale, p. 737. Rushworth, vol. vi. p. 850.
- 49 Whitlocke, p. 110.
- 50 Whitlocke, p. 111. Dugdale, p. 748.
- 51 His words are: "As for my calling those at London a parliament, I shall refer thereto to Digby for particular satisfaction; this in general: If there had been but two besides myself of my opinion, I had not done it; and the argument that prevailed with me was, that the calling did no ways acknowledge them to be a parliament, upon which condition and construction I did it, and no otherwise, and accordingly it is registered in the council books, with the council's unanimous approbation."—*The King's cabinet opened*. Rushworth, vol. vi. p. 943.
- 52 Whitlocke, p. 121. Dugdale, p. 758.
- 53 Such love of contradiction prevailed in Christmas, which, with the churchmen, was a great festival, into a solemn fast of humiliation. "In order," as they do, "that it might call to remembrance our sins and the sins of our fathers, who, pretending to celebrate the memory of Christ, have turned the feast into an extreme forgetfulness of him, by giving liberty to carnal and sensual delights." Rushworth, vol. vi. p. 817. It is remarkable that, as the parliament abolished all holy days, and prohibited all the abbots and of the hangman, the king's book of sports; the nation found that there was no time left for relaxation or diversion. Upon application, therefore, of the servants and apprentices, the parliament appointed the second Tuesday of every month for play and recreation. Rushworth, vol. vi. p. 860. Whitlocke, p. 247. But these institutions they found great difficulty to execute; and the people were resolved to be merry when they themselves pleased, not when the parliament should prescribe it to them. The keeping of Christmas holy-days was long a great mark of malignancy, and very severely censured by the commons. Whitlocke, p. 386. Even minced pies, which custom had made a Christmas dish among the churchmen, was regarded, during that season, as a profane and superstitious vanity by the sectaries; though at other times it agreed very well with their stomachs. In the parliamentary ordinance too, for the observance of the sabbath, they inserted a clause for the taking down of may-poles, which they called a heathenish custom. Since we are upon this subject, it may not be amiss to mention, that, beside setting apart Sunday for the ordinances, as they called them, the godly had regular meetings on the Thursdays for resolving cases of conscience, and conferring about their progress in grace. What they were chiefly anxious about, was the fixing the precise moment of their conversion or new birth; and whoever could not ascertain so difficult a point of calculation, could not pretend to any title to salvation. The pious scholars at Oxford, after the parliament became masters of that town, gave to the house in which the zealots assembled the denomination of *Scripture Shop*: the zealots, in their turn, insulted the scholars and professors; and, intruding into the place of lecture, declaimed against human learning, and challenged the most knowing of them to prove that their calling was from Christ. See Wood's *Fasti Oxonienses*, p. 740.
- 54 Dugdale, p. 779, 780.
- 55 Dugdale, p. 791.
- 56 Dugdale, p. 820.
- 57 Dugdale, p. 877.
- 58 Dugdale, p. 826, 827.
- 59 Rushworth, vol. vi. p. 737. Dugdale, p. 737.
- 60 Rushworth, vol. vi. p. 830.
- 61 Warwick, p. 162.
- 62 Rushworth, vol. vi. p. 838, 839.
- 63 12th of July, 1644.
- 64 Nelson, vol. ii. p. 703.

CHAPTER LVIII.

Montrose's Victories.—The new Model of the Army.—Battle of Naseby.—Surrender of Bristol.—The West conquered by Fairfax.—Defeat of Montrose.—Ecclesiastical Affairs.—King goes to the Scots at Newark.—End of the War.—King delivered up by the Scots.

WHILE the king's affairs declined in England, some events happened in Scotland, which seemed to promise him a more prosperous issue of the quarrel.

MONTROSE'S VICTORIES.

BEFORE the commencement of these civil disorders, the earl of Montrose, a young nobleman of a distinguished family, returning from his travels, had been introduced to the king, and had made an offer of his services; but by the insinuations of the marquis, afterwards duke of Hamilton, who possessed much of Charles's confidence, he had not been received with that distinction to which he thought himself justly entitled.¹ Disgusted with this treatment, he had forwarded all the violence of the covenanters; and, agreeably to the natural ardour of his genius, he had employed himself, during the first Scottish insurrection, with great zeal, as well as success, in levying and conducting their armies. Being commissioned by the *Tables* to wait upon the king, while the royal army lay at Berwic, he was so gained by the civilities and caresses of that monarch, that he thenceforth devoted himself entirely, though secretly, to his service, and entered into a close correspondence with him. In the second insurrection, a great military command was intrusted to him by the covenanters; and he was the first that passed the Tweed, at the head of their troops, in the invasion of England. He found means, however, soon after to convey a letter to the king: and by the infidelity of some about that prince—Hamilton, as was suspected—a copy of this letter was sent to Leven, the Scottish general. Being accused of treachery, and a correspondence with the enemy, Montrose openly avowed the letter, and asked the generals, if they dared to call their sovereign an enemy: and by this bold and magnanimous behaviour, he escaped the danger of an immediate prosecution. As he was now fully known to be of the royal party, he no longer concealed his principles; and he endeavoured to draw those who had entertained like sentiments, into a bond of association for his master's service. Though thrown into prison for this enterprise,² and detained some time, he was not discouraged; but still continued, by his countenance and protection, to infuse spirit into the dis-

tressed royalists. Among other persons of distinction, who united themselves to him, was lord Napier of Merchiston, son of the famous inventor of the logarithms, the person to whom the title of GREAT MAN is more justly due, than to any other whom his country ever produced.

There was in Scotland another party, who, professing equal attachment to the king's service, pretended only to differ with Montrose about the means of attaining the same end; and of that party, duke Hamilton was the leader. This nobleman had cause to be extremely devoted to the king, not only by reason of the connexion of blood, which united him to the royal family; but on account of the great confidence and favour with which he had ever been honoured by his master. Being accused by lord Rae, not without some appearance of probability, of a conspiracy against the king; Charles was so far from harbouring suspicion against him, that the very first time Hamilton came to court, he received him into his bedchamber, and passed alone the night with him.³ But such was the duke's unhappy fate or conduct, that he escaped not the imputation of treachery to his friend and sovereign; and though he at last sacrificed his life in the king's service, his integrity and sincerity have not been thought by historians entirely free from blemish. Perhaps (and this is the more probable opinion) the subtleties and refinements of his conduct and his temporising maxims, though accompanied with good intentions, have been the chief cause of a suspicion, which has never yet been either fully proved or refuted. As much as the bold and vivid spirit of Montrose prompted him to enterprising measures, as much was the cautious temper of Hamilton inclined to such as were moderate and dilatory. While the former foretold that the Scottish covenanters were secretly forming an union with the English parliament, and inculcated the necessity of preventing them by some vigorous undertaking; the latter still insisted, that every such attempt would precipitate them into measures, to which, otherwise, they were not, perhaps, inclined. After the Scottish convention was summoned without the king's authority, the former exclaimed, that their intentions were now visible, and that, if some unexpected blow were not struck, to dissipate them, they would arm

the whole nation against the king; the latter maintained the possibility of outvoting the disaffected party, and securing, by peaceful means, the allegiance of the kingdom.⁴ Unhappily for the royal cause, Hamilton's representations met with more credit from the king and queen, than those of Montrose; and the covenanters were allowed, without interruption, to proceed in all their hostile measures. Montrose then hastened to Oxford; where his invectives against Hamilton's treachery, concurring with the general prepossession, and supported by the unfortunate event of his counsels, were entertained with universal approbation. Influenced by the clamour of his party, more than his own suspicions, Charles, as soon as Hamilton appeared, sent him prisoner to Pendennis castle in Cornwall. His brother, Lauder, who was also put under confinement, found means to make his escape, and to fly into Scotland.

The king's ears were now opened to Montrose's counsels, who proposed none but the boldest and most daring, agreeably to the desperate state of the royal cause in Scotland. Though the whole nation was subjected by the covenanters, though great armies were kept on foot by them, and every place guarded by a vigilant administration; he undertook, by his own credit, and that of the few friends who remained to the king, to raise such commotions, as would soon oblige the malcontents to recall those forces, which had so sensibly thrown the balance in favour of the parliament.⁵ Not discouraged with the defeat at Marston-moor, which rendered it impossible for him to draw any succour from England; he was content to stipulate with the earl of Antrim, a nobleman of Ireland, for some supply of men from that country. And he himself, changing his disguises, and passing through many dangers, arrived in Scotland; where he lay concealed in the borders of the Highlands, and secretly prepared the minds of his partisans for attempting some great enterprise.⁶

No sooner were the Irish landed, though not exceeding eleven hundred foot, very ill armed, than Montrose declared himself, and entered upon that scene of action which has rendered his name so celebrated. About eight hundred of the men of Athole flocked to his standard. Five hundred men more, who had been levied by the covenanters, were persuaded to embrace the royal cause: and with this combined force, he hastened to attack lord Elcho, who lay at Perth with an army of six thousand men, assembled upon the first news of the Irish invasion. Montrose, inferior in number, totally unprovided with horse, ill supplied with arms and ammunition, had nothing to depend on, but the courage, which he himself, by his own example, and the ra-

pidity of his enterprises, should inspire into his raw soldiers. Having received the fire of the enemy, which was answered chiefly by a volley of stones, he rushed amidst them with his sword drawn, threw them into confusion, pushed his advantage, and obtained a complete victory, with the slaughter of two thousand of the covenanters.⁷

This victory, though it augmented the renown of Montrose, increased not his power or numbers. The far greater part of the kingdom was extremely attached to the covenant; and such as bore an affection to the royal cause, were terrified by the established authority of the opposite party. Dreading the superior power of Argyle, who, having joined his vassals to a force levied by the public, was approaching with a considerable army; Montrose hastened northwards, in order to rouse again the marquis of Huntley and the Gordons, who, having before hastily taken arms, had been instantly suppressed by the covenanters. He was joined on his march by the earl of Airly, with his two younger sons, sir Thomas and sir David Ogilvy: the eldest was, at that time, a prisoner with the enemy. He attacked at Aberdeen the lord Burley, who commanded a force of 2500 men. After a sharp combat, by his undaunted courage, which, in his situation, was true policy, and was also not unaccompanied with military skill, he put the enemy to flight, and in the pursuit did great execution upon them.⁸

But by this second advantage he obtained not the end which he expected. The envious nature of Huntley, jealous of Montrose's glory, rendered him averse to join an army, where he himself must be so much eclipsed by the superior merit of the general. Argyle, reinforced by the earl of Lothian, was behind him with a great army: the militia of the northern counties, Murray, Ross, Caithness, to the number of five thousand men, opposed him in front, and guarded the banks of the Spey, a deep and rapid river. In order to elude these numerous armies, he turned aside into the hills, and saved his weak, but active troops, in Badenoch. After some marches and counter-marches, Argyle came up with him at Faivy-castle. This nobleman's character, though celebrated for political courage and conduct, was very low for military prowess; and after some skirmishes, in which he was worsted, he here allowed Montrose to escape him. By quick marches through these inaccessible mountains, that general freed himself from the superior forces of the covenanters.

Such was the situation of Montrose, that very good or very ill fortune was equally destructive to him, and diminished his army. After every victory, his soldiers, greedy of spoil, but deeming the smallest acquisition to be an exhausted riches, deserted in great numbers,

and went home to secure the treasures which they had acquired. Tired too, and spent with hasty and long marches, in the depth of winter, through snowy mountains unprovided with every necessary, they fell off, and left their general almost alone with the Irish, who, having no place to which they could retire, still adhered to him in every fortune.

With these, and some reinforcements of the Athole-men, and Macdonalds whom he had recalled, Montrose fell suddenly upon Argyle's country, and let loose upon it all the rage of war; carrying off the cattle, burning the houses, and putting the inhabitants to the sword. This severity, by which Montrose sullied his victories, was the result of private animosity against the chieftain, as much as of zeal for the public cause. Argyle, collecting three thousand men, marched in quest of the enemy, who had retired with their plunder; and he lay at Inverlochy, supposing himself still at a considerable distance from them. The earl of Seaforth, at the head of the garrison of Inverness, who were veteran soldiers, joined to five thousand new-levied troops of the northern counties, pressed the royalists on the other side, and threatened them with inevitable destruction. By a quick and unexpected march, Montrose hastened to Inverlochy, and presented himself in order of battle before the surprised, but not affrightened, covenanters. Argyle alone, seized with a panic, deserted his army, who still maintained their ground, and gave battle to the royalists. After a vigorous resistance they were defeated, and pursued with great slaughter (2nd Feb.)⁹ And the power of the Campbells (that is Argyle's name) being thus broken; the Highlanders, who were in general well affected to the royal cause, began to join Montrose's camp in great numbers. Seaforth's army dispersed of itself, at the very terror of his name. And lord Gordon, eldest son of Huntley, having escaped from his uncle Argyle, who had hitherto detained him, now joined Montrose with no contemptible number of his followers, attended by his brother, the earl of Aboine.

The council at Edinburgh, alarmed at Montrose's progress, began to think of a more regular plan of defence, against an enemy, whose repeated victories had rendered him extremely formidable. They sent for Baillie, an officer of reputation, from England; and joining him in command with Urrey, who had again enlisted himself among the king's enemies, they sent them to the field, with a considerable army, against the royalists. Montrose, with a detachment of eight hundred men, had attacked Dundee, a town extremely zealous for the covenant: and having carried it by assault, had delivered it up to be plundered by his soldiers; when Baillie and Urrey, with their whole force, were unexpectedly upon him.¹⁰

His conduct and presence of mind, in this emergence, appeared conspicuous. Instantly he called off his soldiers from plunder, put them in order, secured his retreat by the most skilful measures; and having marched sixty miles in the face of an enemy much superior, without stopping, or allowing his soldiers the least sleep or refreshment, he at last secured himself in the mountains.

Baillie and Urrey now divided their troops, in order the better to conduct the war against an enemy, who surprised them, as much by the rapidity of his marches, as by the boldness of his enterprises. Urrey, at the head of four thousand men, met him at Alderne, near Inverness; and, encouraged by the superiority of number (for the covenanters were double the royalists), attacked him in the post which he had chosen. Montrose, having placed his right wing in strong ground, drew the best of his forces to the other, and left no main body between them; a defect which he artfully concealed, by showing a few men through the trees and bushes, with which that ground was covered. That Urrey might have no leisure to perceive the stratagem, he instantly led his left wing to the charge; and making a furious impression upon the covenanters, drove them off the field, and gained a complete victory.¹¹ In this battle, the valour of young Napier, son to the lord of that name, shone out with signal lustre.

Baillie now advanced, in order to revenge Urrey's discomfiture; but, at Alford, he met himself, with a like fate.¹² Montrose, weak in cavalry, here lined his troops of horse with infantry; and after putting the enemy's horse to rout, fell with united force upon their foot, who were entirely cut in pieces, though with the loss of the gallant lord Gordon on the part of the royalists.¹³ And having thus prevailed in so many battles, which his vigour ever rendered as decisive as they were successful, he summoned together all his friends and partisans, and prepared himself for marching into the southern provinces, in order to put a final period to the power of the covenanters, and dissipate the parliament, which, with great pomp and solemnity, they had summoned to meet at St. Johnstone's.

While the fire was thus kindled in the north of the island, it blazed out with no less fury in the south: the parliamentary and royal armies, as soon as the season would permit, prepared to take the field, in hopes of bringing their important quarrel to a quick decision. The passing of the self-denying ordinance had been protracted by so many debates and intrigues, that the spring was far advanced before it received the sanction of both houses; and it was thought dangerous by many to introduce, so near the time of action, such great innovations into the army. Had not the punctilious

principles of Essex engaged him, amidst all the disgusts which he received, to pay implicit obedience to the parliament; this alteration had not been effected without some fatal accident: since, notwithstanding his prompt resignation of the command, a mutiny was generally apprehended.¹⁴ Fairfax, or more properly speaking, Cromwel, under his name, introduced, at last, the *new model* into the army, and threw the troops into a different shape. From the same men, new regiments and new companies were formed, different officers appointed, and the whole military force put into such hands, as the independents could rely on. Besides members of parliament who were exculded, many officers, unwilling to serve under the new generals, threw up their commissions; and unwarily facilitated the project of putting the army entirely into the hands of that faction.

Though the discipline of the former parliamentary army was not contemptible, a more exact plan was introduced, and rigorously executed, by these new commanders. Valour indeed was very generally diffused over the one party as well as the other, during this period: discipline also was attained by the forces of the parliament: but the perfection of the military art in concerting the general plans of action, and the operations of the field, seems still, on both sides, to have been, in a great measure, wanting. Historians at least, perhaps from their own ignorance and inexperience, have not remarked any thing but a headlong impetuous conduct; each party hurrying to a battle, where valour and fortune chiefly determined the success. The great ornament of history, during these reigns, are the civil, not the military transactions.

NEW MODEL OF THE ARMY.

NEVER surely was a more singular army assembled, than that which was now set on foot by the parliament. To the greater number of the regiments, chaplains were not appointed. The officers assumed the spiritual duty, and united it with their military functions. During the intervals of action, they occupied themselves in sermons, prayers, exhortations; and the same emulation, there, attended them, which, in the field, is so necessary to support the honour of that profession. Rapturous ecstasies supplied the place of study and reflection; and while the zealous devotees poured out their thoughts in unpremeditated harangues, they mistook that eloquence, which, to their own surprise, as well as that of others, flowed in upon them, for divine illuminations, and for illapses of the Holy Spirit. Wherever they were quartered, they excluded the minister from his pulpit; and, usurping his place, conveyed their sentiments to the audience, with

all the authority which followed their power, their valour, and their military exploits, united to their appearing zeal and fervour. The private soldiers, seized with the same spirit, employed their vacant hours in prayer, in perusing the Holy Scriptures, in ghostly conferences, where they compared the progress of their souls in grace, and mutually stimulated each other to farther advances in the great work of their salvation. When they were marching to battle, the whole field resounded, as well with psalms and spiritual songs adapted to the occasion, as with the instruments of military music;¹⁵ and every man endeavoured to drown the sense of present danger, in the prospect of that crown of glory which was set before him. In so holy a cause, wounds were esteemed meritorious; death, martyrdom, and the hurry and dangers of action, instead of banishing their pious visions, rather served to impress their minds more strongly with them. •

The royalists were desirous of throwing a ridicule on this fanaticism of the parliamentary armies, without being sensible how much reason they had to apprehend its dangerous consequences. The forces assembled by the king at Oxford; in the west, and in other places, were equal, if not superior in number, to their adversaries; but actuated by a very different spirit. That licence, which had been introduced by want of pay, had arisen to a great height among them, and rendered them more formidable to their friends than to their enemies. Prince Rupert, negligent of the people, fond of the soldiery, had indulged the troops in unwarrantable liberties: Wilmot, a man of dissolute manners, had promoted the same spirit of disorder: and the licentious Goring, Gerrard, sir Richard Granville, now carried it to a great pitch of enormity. In the west especially, where Goring commanded, universal spoil and havoc were committed; and the whole country was laid waste by the rapine of the army. All distinction of parties being in a manner dropped; the most devoted friends of the church and monarchy wished there for such success to the parliamentary forces, as might put an end to these oppressions. The country people, despoiled of their substance, flocked together in several places, armed with clubs and staves; and though they professed an enmity to the soldiers of both parties, their hatred was in most places levelled chiefly against the royalists, from whom they had met with the worst treatment. Many thousands of these tumultuary peasants were assembled in different parts of England; who destroyed all such straggling soldiers as they met with, and much infested the armies.¹⁶

The disposition of the forces on both sides was as follows: part of the Scottish army was employed in taking Pomfret, and other towns in Yorkshire: part of it besieged Carlisle,

valiantly defended by sir Thomas Glenham. Chester, where Biron commanded, had long been blockaded by sir William Brereton; and was reduced to great difficulties. The king, being joined by the princes Rupert and Maurice, lay at Oxford, with a considerable army, about 15,000 men. Fairfax and Cromwel were posted at Windsor, with the new-modelled army, about 22,000 men. Taunton, in the county of Somerset, defended by Blake, suffered a long siege from sir Richard Granville, who commanded an army of about 8000 men; and though the defence had been obstinate, the garrison was now reduced to the last extremity. Goring commanded, in the west, an army of nearly the same number.¹⁷

On opening the campaign, the king formed the project of relieving Chester; Fairfax, that of relieving Taunton. The king was first in motion. When he advanced to Draiton in Shropshire, Biron met him, and brought intelligence, that his approach had raised the siege, and that the parliamentary army had withdrawn. Fairfax, having reached Salisbury in his road westward, received orders from the committee of both kingdoms, appointed for the management of the war, to return and lay siege to Oxford, now exposed by the king's absence. He obeyed, after sending colonel Weldon to the west, with a detachment of 4000 men. On Weldon's approach, Granville, who imagined that Fairfax with his whole army was upon him, raised the siege, and allowed this pertinacious town, now half taken and half burned, to receive relief: but the royalists, being reinforced with 3000 horse under Goring, again advanced to Taunton, and shut up Weldon, with his small army, in that ruinous place.¹⁸

The king, having effected his purpose with regard to Chester, returned southwards; and, in his way, sat down before Leicester, a garrison of the parliament's. Having made a breach in the wall, he stormed the town on all sides; and, after a furious assault, the soldiers entered sword in hand, and committed all those disorders to which their natural violence, especially when enflamed by resistance, is so much addicted.¹⁹ A great booty was taken and distributed among them: fifteen hundred prisoners fell into the king's hands. This success, which struck a great terror into the parliamentary party, determined Fairfax to leave Oxford, which he was beginning to approach; and he marched towards the king, with an intention of offering him battle. The king was advancing towards Oxford, in order to raise the siege, which, he apprehended, was now begun; and both armies, ere they were aware, had advanced within six miles of each other. A council of war was called by the king, in order to deliberate concerning the measures which he should now pursue. On the one hand, it

seemed more prudent to delay the combat, because Gerrard, who lay in Wales with 3000 men, might be enabled, in a little time, to join the army; and Goring, it was hoped, would soon be master of Taunton; and having put the west in full security, would then unite his forces to those of the king, and give them an incontestable superiority over the enemy. On the other hand, prince Rupert, whose boiling ardour still pushed him on to battle, excited the impatient humour of the nobility and gentry, of which the army was full; and urged the many difficulties under which the royalists laboured, and from which nothing but a victory could relieve them: the resolution was taken to give battle to Fairfax; and the royal army immediately advanced upon him.

BATTLE OF NASEBY.

At Naseby was fought, with forces nearly equal, this decisive and well-disputed action, between the king and parliament. The main body of the royalists was commanded by the king himself: the right wing by prince Rupert; the left by sir Marmaduke Langdale. Fairfax, seconded by Skippon, placed himself in the main body of the opposite army: Cromwel in the right wing: Ireton, Cromwel's son-in-law, in the left. The charge was begun, with his usual celerity and usual success, by prince Rupert. Though Ireton made stout resistance, and even after he was run through the thigh with a pike, still maintained the combat, till he was taken prisoner; yet was that whole wing broken, and pursued with precipitate fury by Rupert: he was even so inconsiderate as to lose time in summoning and attacking the artillery of the enemy, which had been left with a good guard of infantry. The king led on his main body, and displayed, in this action, all the conduct of a prudent general, and all the valour of a stout soldier.²⁰ Fairfax and Skippon encountered him, and well supported that reputation which they had acquired. Skippon, being dangerously wounded, was desired by Fairfax to leave the field; but he declared that he would remain there as long as one man maintained his ground.²¹ The infantry of the parliament was broken, and pressed upon by the king; till Fairfax, with great presence of mind, brought up the reserve, and renewed the combat. Meanwhile Cromwel, having led on his troops to the attack of Langdale, overbore the force of the royalists, and by his prudence improved that advantage which he had gained by his valour. Having pursued the enemy about a quarter of a mile, and detached some troops to prevent their rallying, he turned back upon the king's infantry, and threw them into the utmost confusion. One regiment alone preserved its order unbroken, though twice desperately assailed by Fairfax: and that

general, excited by so steady a resistance, ordered Doyley, the captain of his life-guard, to give them a third charge in front, while he himself attacked them in rear. The regiment was broken. Fairfax, with his own hands, killed an ensign, and, having seized the colours, gave them to a soldier to keep for him. The soldier afterwards boasting that he had won this trophy, was reproved by Doyley, who had seen the action; *Let him retain that honour*, said Fairfax, *I have to-day acquired enough beside.*³²

Prince Rupert, sensible too late of his error, left the fruitless attack on the enemy's artillery, and joined the king, whose infantry was now totally discomfited. Charles exhorted this body of cavalry not to despair, and cried aloud to them, *One charge more and we recover the day.*³³ But the disadvantages under which they laboured were too evident; and they could by no means be induced to renew the combat. Charles was obliged to quit the field, and leave the victory to the enemy.³⁴ The slain, on the side of the parliament, exceeded those on the side of the king: they lost a thousand men; he not above eight hundred. But Fairfax made 500 officers prisoners, and 4000 private men; took all the king's artillery and ammunition; and totally dissipated his infantry: so that scarce any victory could be more complete than that which he obtained.

Among the other spoils was seized the king's cabinet, with the copies of his letters to the queen, which the parliament afterwards ordered to be published.³⁵ They chose, no doubt, such of them as they thought would reflect dishonour on him: yet, upon the whole, the letters are written with delicacy and tenderness, and give an advantageous idea both of the king's genius and morals. A mighty fondness, it is true, and attachment, he expresses to his consort, and often professes that he never would embrace any measures which she disapproved: but such declarations of civility and confidence are not always to be taken in a full literal sense. And so legitimate an affection, avowed by the laws of God and man, may, perhaps, be excusable towards a woman of beauty and spirit, even though she was a papist.³⁶

The Athenians, having intercepted a letter written by their enemy, Philip of Macedon, to his wife, Olympia; so far from being moved by a curiosity of prying into the secrets of that relation, immediately sent the letter to the queen unopened. Philip was not their sovereign; nor were they inflamed with that violent animosity against him, which attends all civil commotions.

After the battle, the king retreated with that body of horse which remained entire, first to Hereford, then to Abergavenny; and remained some time in Wales, from the vain hope of raising a body of infantry in those harassed and exhausted quarters. Fairfax, having first

retaken Leicester, which was surrendered upon articles (17th June), began to deliberate concerning his future enterprises. A letter was brought him written by Goring to the king, and unfortunately intrusted to a spy of Fairfax's. Goring there informed the king, that in three weeks he hoped to be master of Taunton; after which he would join his majesty with all the forces in the west; and entreated him, in the mean while, to avoid coming to any general action. This letter, which, had it been safely delivered, had probably prevented the battle of Naseby, served now to direct the operations of Fairfax.³⁷ After leaving a body of 3000 men to Pointz and Rossiter, with orders to attend the king's motions, he marched immediately to the west, with a view of saving Taunton, and suppressing the only considerable force which now remained to the royalists.

In the beginning of the campaign, Charles, apprehensive of the event, had sent the prince of Wales, then fifteen years of age, to the west, with the title of general, and had given orders, if he were pressed by the enemy, that he should make his escape into a foreign country, and save one part of the royal family from the violence of the parliament. Prince Rupert had thrown himself into Bristol, with an intention of defending that important city. Goring commanded the army before Taunton.

On Fairfax's approach, the siege of Taunton was raised (10th July); and the royalists retired to Lamport, an open town in the county of Somerset. Fairfax attacked them in that post, beat them from it, killed about 300 men, and took 1400 prisoners.³⁸ After this advantage, he sat down before Bridgewater, a town esteemed strong and of great consequence in that country. When he had entered the outer town by storm, Windham the governor, who had retired into the inner, immediately capitulated, and delivered up the place to Fairfax. The garrison, to the number of 2600 men, were made prisoners of war (23rd July.)

SURRENDER OF BRISTOL. Sept. 11.

FAIRFAX, having next taken Bath and Sherborne, resolved to lay siege to Bristol, and made great preparations for an enterprise, which, from the strength of the garrison, and the reputation of prince Rupert the governor, was deemed of the last importance. But, so precarious in most men is this quality of military courage! a poorer defence was not made by any town during the whole war: and the general expectations were here extremely disappointed. No sooner had the parliamentary forces entered the lines by storm, than the prince capitulated, and surrendered the city to Fairfax.³⁹ A few days before, he had written a letter to the king, in which he undertook to

defend the place for four months, if no mutiny obliged him to surrender it. Charles, who was forming schemes, and collecting forces, for the relief of Bristol, was astonished at so unexpected an event, which was little less fatal to his cause than the defeat at Naseby.³⁰ Full of indignation, he instantly recalled all prince Rupert's commissions, and sent him a pass to go beyond sea.³¹

The king's affairs now went fast to ruin in all quarters. The Scots, having made themselves masters of Carlisle,³² after an obstinate siege, marched southwards, and laid siege to Hereford; but were obliged to raise it on the king's approach: and this was the last glimpse of success which attended his arms. Having marched to the relief of Chester, which was anew besieged by the parliamentary forces under colonel Jones; Pointz attacked his rear, and forced him to give battle (24th Sept.) While the fight was continued with great obstinacy, and victory seemed to incline to the royalists; Jones fell upon them from the other side, and put them to rout with the loss of six hundred slain, and one thousand prisoners.³³ The king, with the remains of his broken army, fled to Newark, and thence escaped to Oxford, where he shut himself up during the winter season.

The news which he received from every quarter, were no less fatal than those events which passed, where he himself was present. Fairfax and Cromwel, after the surrender of Bristol, having divided their forces, the former marched westwards, in order to complete the conquest of Devonshire and Cornwall; the latter attacked the king's garrisons which lay to the east of Bristol. The Devizes were surrendered to Cromwel; Berkeley castle was taken by storm; Winchester capitulated; Basinghouse was entered sword in hand: and all these middle counties of England were, in a little time, reduced to obedience under the parliament.

THE WEST CONQUERED BY FAIRFAX.

1646.

THE same rapid and uninterrupted success attended Fairfax. The parliamentary forces, elated by past victories, governed by the most rigid discipline, met with no equal opposition from troops, dismayed by repeated defeats, and corrupted by licentious manners. After beating up the quarters of the royalists at Bovey-Tracey, Fairfax sat down before Dartmouth, and in a few days entered it by storm (18th of Jan.) Poudram-castle being taken by him, and Exeter blockaded on all sides; Hopton, a man of merit, who now commanded the royalists, having advanced to the relief of that town with an army of eight thousand men, met with the parliamentary army at Torrington (19th Feb.); where he was defeated, all his foot dispersed, and he himself, with his horse, obliged to retire

into Cornwall. Fairfax followed him, and vigorously pursued the victory. Having inclosed the royalists at Truro, he forced the whole army, consisting of five thousand men, chiefly cavalry, to surrender upon terms. The soldiers, delivering up their horses and arms, were allowed to disband, and received twenty shillings a-piece, to carry them to their respective abodes. Such of the officers as desired it, had passes to retire beyond sea: the others, having promised never more to bear arms, payed compositions to the parliament,³⁴ and procured their pardon.³⁵ And thus Fairfax, after taking Exeter, which completed the conquest of the west, marched with his victorious army to the centre of the kingdom, and fixed his camp at Newbury. The prince of Wales, in pursuance of the king's orders, retired to Scilly; thence to Jersey; whence he went to Paris; where he joined the queen, who had fled thither from Exeter, at the time the earl of Essex conducted the parliamentary army to the west.

In the other parts of England, Hereford was taken by surprise: Chester surrendered: lord Digby, who had attempted, with 1200 horse, to break into Scotland and join Montrose, was defeated at Sherburn, in Yorkshire, by colonel Copley; his whole force was dispersed; and he himself was obliged to fly, first to the Isle of Man, thence to Ireland. News too arrived that Montrose himself, after some more successes, was at last routed; and this only remaining hope of the royal party finally extinguished.

When Montrose descended into the southern counties, the covenanters, assembling their whole force, met him with a numerous army, and gave him battle, but without success, at Kilsyth.³⁶ This was the most complete victory that Montrose ever obtained. The royalists put to the sword six thousand of their enemies, and left the covenanters no remains of any army in Scotland. The whole kingdom was shaken with these repeated successes of Montrose; and many noblemen, who secretly favoured the royal cause, now declared openly for it, when they saw a force able to support them. The marquis of Douglas, the earls of Annandale and Hartfield, the lords Fleming, Seton, Maderty, Carnegie, with many others, flocked to the royal standard. Edinburgh opened its gates, and gave liberty to all the prisoners there detained by the covenanters. Among the rest was lord Ogilvy, son of Airly, whose family had contributed extremely to the victory gained at Kilsyth.³⁷

David Leslie was detached from the army in England, and marched to the relief of his distressed party in Scotland. Montrose advanced still farther to the south, allured by vain hopes, both of rousing to arms the earls of Hume, Traquaire, and Roxborough, who had promised to join him: and of obtaining from England some supply of cavalry, in which he was de-

ficient. By the negligence of his scouts, Lesly, at Philiphaugh in the Forest, surprised his army, much diminished in numbers, from the desertion of the Highlanders, who had retired to the hills, according to custom, in order to secure their plunder. After a sharp conflict, where Montrose exerted great valour, his forces were routed by Lesly's cavalry;³⁸ and he himself was obliged to fly with his broken forces into the mountains; where he again prepared himself for new battles and new enterprises.³⁹

The covenanters used the victory with rigour. Their prisoners, sir Robert Spotswood, secretary of state, and son to the late primate, sir Philip Nisbet, sir William Rollo, Colonel Nathaniel Gordon, Andrew Guthrie son of the bishop of Murray, William Murray son of the earl of Tullibardine, were condemned and executed. The sole crime imputed to the secretary, was his delivering to Montrose the king's commission to be captain-general of Scotland. Lord Ogilvy, who was again taken prisoner, would have undergone the same fate, had not his sister found means to procure his escape, by changing clothes with him. For this instance of courage and dexterity, she met with harsh usage. The clergy solicited the parliament, that more royalists might be executed; but could not obtain their request.⁴⁰

After all these repeated disasters, which every where befel the royal party, there remained only one body of troops, on which fortune could exercise her rigour. Lord Astley, with a small army of 3000 men, chiefly cavalry, marching to Oxford, in order to join the king, was met at Stowe, by Colonel Morgan, and entirely defeated (22nd March); himself being taken prisoner. "You have done your work," said Astley to the parliamentary officers; "and may now go to play, unless you choose to fall out among yourselves."⁴¹

The condition of the king, during this whole winter, was to the last degree disastrous and melancholy. As the dread of ills is commonly more oppressive than their real presence, perhaps in no period of his life was he more justly the object of compassion. His vigour of mind, which, though it sometimes failed him in acting, never deserted him in his sufferings, was what alone supported him; and he was determined, as he wrote to lord Digby, if he could not live as a king, to die like a gentleman; nor should any of his friends, he said, ever have reason to blush for the prince whom they had so unfortunately served.⁴² The murmurs of discontented officers, on the one hand, harassed their unhappy sovereign; while they over-rated those services and sufferings which, they now saw, must for ever go unrewarded.⁴³ The affectionate duty, on the other hand, of his more generous friends, who respected his misfortunes and his virtues, as much as his dignity,

wrung his heart with a new sorrow; when he reflected, that such disinterested attachment would so soon be exposed to the rigour of his implacable enemies. Repeated attempts, which he made for a peaceful and equitable accommodation with the parliament, served to no purpose but to convince them, that the victory was entirely in their hands. They declined not to make the least reply to several of his messages, in which he desired a passport for commissioners.⁴⁴ At last, after reproaching him with the blood spilt during the war, they told him, that they were preparing bills for him; and his passing them would be the best pledge of his inclination towards peace: in other words, he must yield at discretion.⁴⁵ He desired a personal treaty, and offered to come to London, upon receiving a safe conduct for himself and his attendants: they absolutely refused him admittance, and issued orders for the guarding, that is, the seizing of his person, in case he should attempt to visit them.⁴⁶ A new incident, which happened in Ireland, served to inflame the minds of men, and to increase those calumnies with which his enemies had so much loaded him, and which he ever regarded as the most grievous part of his misfortunes.

After the cessation with the Irish rebels, the king was desirous of concluding a final peace with them, and obtaining their assistance in England: and he gave authority to Ormond, lord lieutenant, to promise them an abrogation of all the penal laws enacted against catholics; together with the suspension of Poinding's statute, with regard to some particular bills, which should be agreed on. Lord Herbert, created earl of Glamorgan (though his patent had not yet passed the seals), having occasion for his private affairs to go to Ireland, the king considered, that this nobleman, being a catholic, and allied to the best Irish families, might be of service: he also foresaw, that farther concessions with regard to religion might probably be demanded by the bigoted Irish; and that, as these concessions, however necessary, would give great scandal to the protestant zealots in his three kingdoms, it would be requisite both to conceal them during some time, and to preserve Ormond's character, by giving private orders to Glamorgan to conclude and sign these articles. But as he had a better opinion of Glamorgan's zeal and affection for his service, than of his capacity, he enjoined him to communicate all his measures to Ormond; and though the final conclusion of the treaty must be executed only in Glamorgan's own name, he was required to be directed, in the steps towards it, by the opinion of the lord lieutenant. Glamorgan, bigoted to his religion, and passionate for the king's service, but guided in these pursuits by no manner of judgment or discretion, secretly, of himself,

without any communication with Ormond, concluded a peace with the council of Kilkenny, and agreed, in the king's name, that the Irish should enjoy all the churches of which they had ever been in possession since the commencement of their insurrection; on condition that they should assist the king in England with a body of ten thousand men. This transaction was discovered by accident. The titular archbishop of Tuam being killed by a sally of the garrison of Sligo, the articles of the treaty were found among his baggage, and were immediately published every where, and copies of them sent over to the English parliament.⁴⁷ The lord lieutenant and lord Digby, foreseeing the clamour which would be raised against the king, committed Glamorgan to prison, charged him with treason for his temerity, and maintained, that he had acted altogether without any authority from his master. The English parliament however neglected not so favourable an opportunity of reviving the old clamour with regard to the king's favour of popery, and accused him of delivering over, in a manner, the whole kingdom of Ireland to that hated sect. The king told them, "That the earl of Glamorgan having made an offer to raise forces in the kingdom of Ireland, and to conduct them into England for his majesty's service, had a commission for that purpose, and to that purpose only, and that he had no commission at all to treat of any thing else, without the privity and direction of the lord lieutenant, much less to capitulate any thing concerning religion, or any property belonging either to church or laity."⁴⁸ Though this declaration seems agreeable to truth, it gave no satisfaction to the parliament; and some historians, even at present, when the ancient bigotry is somewhat abated, are desirous of representing this very innocent transaction, in which the king was engaged by the most violent necessity, as a stain on the memory of that unfortunate prince. —[See note (L) at the end of this Vol.]

Having lost all hope of prevailing over the rigour of the parliament, either by arms or by treaty, the only resource which remained to the king, was derived from the intestine dissensions, which ran very high among his enemies. Presbyterians and independents, even before their victory was fully completed, fell into contests about the division of the spoil, and their religious as well as civil disputes agitated the whole kingdom.

ECCLESIASTICAL AFFAIRS.

THE parliament, though they had early abolished episcopal authority, had not, during so long a time, substituted any other spiritual government in its place; and their committees of religion had hitherto assumed the whole ecclesiastical jurisdiction: but they now esta-

blished, by an ordinance, the presbyterian model in all its forms of *congregational, classical, provincial, and national* assemblies. All the inhabitants of each parish were ordered to meet and choose elders, on whom, together with the minister, was bestowed the entire direction of all spiritual concerns within the congregation. A number of neighbouring parishes, commonly between twelve and twenty, formed a classis; and the court, which governed this division, was composed of all the ministers, together with two, three, or four elders chosen from each parish. The provincial assembly retained an inspection over several neighbouring classes, and was composed entirely of clergymen: the national assembly was constituted in the same manner; and its authority extended over the whole kingdom. It is probable, that the tyranny exercised by the Scottish clergy had given warning not to allow laymen a place in the provincial or national assemblies; lest the nobility and more considerable gentry, soliciting a seat in these great ecclesiastical courts, should bestow a consideration upon them, and render them, in the eyes of the multitude, a rival to the parliament. In the inferior courts, the mixture of the laity might serve rather to temper the usual zeal of the clergy.⁴⁹

But though the presbyterians, by the establishment of parity among the ecclesiastics, were so far gratified, they were denied satisfaction in several other points, on which they were extremely intent. The assembly of divines had voted presbytery to be of divine right. The parliament refused their assent to that decision.⁵⁰ Selden, Whitlocke, and other political reasoners, assisted by the independents, had prevailed in this important deliberation. They thought, that, had the bigoted religionists been able to get their heavenly charter recognised, the presbyter would soon become more dangerous to the magistrate than had ever been the prelatical clergy. These latter, while they claimed to themselves a divine right, admitted of a like origin to civil authority: the former, challenging to their own order a celestial pedigree, derived the legislative power from a source no more dignified than the voluntary association of the people.

Under colour of keeping the sacraments from profanation, the clergy of all christian sects had assumed, what they call the power of the keys, or the right of fulminating excommunication. The example of Scotland was a sufficient lesson for the parliament to use precaution in guarding against so severe a tyranny. They determined, by a general ordinance, all the cases in which excommunication could be used. They allowed of appeals to parliament from all ecclesiastical courts. And they appointed commissioners in every province to judge of such cases as fell not within their general ordinance.⁵¹ So much civil authority, intermixed

with the ecclesiastical, gave disgust to all the zealots.

But nothing was attended with more universal scandal than the propensity of many in the parliament towards a toleration of the protestant sectaries. The presbyterians exclaimed, that this indulgence made the church of Christ resemble Noah's ark, and rendered it a receptacle for all unclean beasts. They insisted, that the least of Christ's truths was superior to all political considerations.⁵² They maintained the eternal obligation imposed by the covenant to extirpate heresy and schism. And they menaced all their opponents with the same rigid persecution, under which they themselves had groaned, when held in subjection by the hierarchy.

So great prudence and reserve, in such material points, does great honour to the parliament; and proves, that, notwithstanding the prevalency of bigotry and fanaticism, there were many members who had more enlarged views, and paid regard to the civil interests of society. These men, uniting themselves to the enthusiasts, whose genius is naturally averse to clerical usurpations, exercised so jealous an authority over the assembly of divines, that they allowed them nothing but the liberty of tendering advice, and would not intrust them even with the power of electing their own chairman or his substitute, or of supplying the vacancies of their own members.

While these disputes were canvassed by the theologians, who engaged in their spiritual contests every order of the state; the king, though he entertained hopes of reaping advantage from those divisions, was much at a loss which side it would be most for his interest to comply with. The presbyterians were, by their principles, the least averse to regal authority; but were rigidly bent on the extirpation of prelacy: the independents were resolute to lay the foundation of a republican government; but as they pretended not to erect themselves into a national church, it might be hoped, that, if gratified with a toleration, they would admit the re-establishment of the hierarchy. So great attachment had the king to episcopal jurisdiction, that he was ever inclined to put it in balance even with his own power and kingly office.

But whatever advantage he might hope to reap from the divisions in the parliamentary party, he was apprehensive, lest it should come too late to save him from the destruction with which he was instantly threatened. Fairfax was approaching with a powerful and victorious army, and was taking the proper measures for laying siege to Oxford, which must infallibly fall into his hands. To be taken captive, and led in triumph by his insolent enemies, was what Charles justly abhorred; and every insult, if not violence, was to be dreaded from

that enthusiastic soldiery, who hated his person and despised his dignity. In this desperate extremity, he embraced a measure which, in any other situation, might lie under the imputation of imprudence and indiscretion.

THE KING GOES TO THE SCOTCH CAMP AT NEWARK.

MONTREVILLE, the French minister, interested for the king more by the natural sentiments of humanity, than any instructions from his court, which seemed rather to favour the parliament, had solicited the Scottish generals and commissioners, to give protection to their distressed sovereign; and having received many general professions and promises, he had always transmitted these, perhaps with some exaggeration, to the king. From his suggestions, Charles began to entertain thoughts of leaving Oxford, and flying to the Scottish army, which at that time lay before Newark.⁵³ He considered that the Scottish nation had been fully gratified in all their demands; and having already, in their own country, annihilated both episcopacy and regal authority, had no farther concessions to exact from him. In all disputes which had passed about settling the terms of peace, the Scots, he heard, had still adhered to the milder side, and had endeavoured to soften the rigour of the English parliament. Great disgusts also, on other accounts, had taken place between the nations; and the Scots found that, in proportion as their assistance became less necessary, less value was put upon them. The progress of the independents gave them great alarm; and they were scandalized to hear their beloved covenant spoken of, every day, with less regard and reverence. The refusal of a divine right to presbytery, and the infringing of ecclesiastical discipline from political considerations, were, to them, the subject of much offence: and the king hoped, that in their present disposition, the sight of their native prince, flying to them in this extremity of distress, would rouse every spark of generosity in their bosom, and procure him their favour and protection.

That he might the better conceal his intentions, orders were given at every gate in Oxford, for allowing three persons to pass: and in the night the king, accompanied by none but Dr. Hudson and Mr. Ashburnham, went out at that gate which leads to London. He rode before a portmanteau, and called himself Ashburnham's servant. He passed through Henley, St. Albans, and came so near to London as Harrow on the Hill. He once entertained thoughts of entering into that city, and of throwing himself on the mercy of the parliament. But at last, after passing through many cross roads, he arrived at the Scottish camp before Newark (5th May).⁵⁴ The parliament

hearing of his escape from Oxford, issued rigorous orders, and threatened with instant death whoever should harbour or conceal him.⁵⁵

The Scottish generals and commissioners affected great surprise on the appearance of the king: and though they payed him all the exterior respect due to his dignity, they instantly set a guard upon him, under colour of protection, and made him in reality a prisoner. They informed the English parliament of this unexpected incident, and assured them that they had entered into no private treaty with the king. They applied to him for orders to Bellasis, governor of Newark, to surrender that town, now reduced to extremity; and the orders were instantly obeyed. And hearing that the parliament laid claim to the entire disposal of the king's person, and that the English army was making some motions towards them; they thought proper to retire northwards, and to fix their camp at Newcastle.⁵⁶

This measure was very grateful to the king; and he began to entertain hopes of protection from the Scots. He was particularly attentive to the behaviour of their preachers, on whom all depended. It was the mode of that age to make the pulpit the scene of news; and on every great event, the whole scripture was ransacked by the clergy for passages applicable to the present occasion. The first minister who preached before the king, chose these words for his text: "And behold all the men of Israel came to the king, and said unto him, Why have our brethren, the men of Judah, stolen thee away, and have brought the king and his household, and all David's men with him, over Jordan? And all the men of Judah answered the men of Israel, Because the king is near of kin to us; wherefore then be ye angry for this matter? Have we eaten at all of the king's cost; or hath he given us any gift? And the men of Israel answered the men of Judah, and said, We have ten parts in the king, and we have also more right in David than ye: why then did ye despise us, that our advice should not be first had, in bringing back our king: and the words of the men of Judah were fiercer than the words of the men of Israel."⁵⁷ But the king found, that the happiness chiefly of the allusion had tempted the preacher to employ this text, and that the covenanting zealots were nowise pacified towards him. Another preacher, after reproaching him to his face with his misgovernment, ordered this psalm to be sung:

"Why dost thou, tyrant, boast thyself,
Thy wicked deeds to praise?"

The king stood up, and called for that psalm which begins with these words,

"Have mercy, Lord, on me, I pray;
For men would me devour:"

The good-natured audience, in pity to fallen majesty, showed for once greater deference

to the king than to the minister, and sung the psalm which the former had called for.⁵⁸

Charles had very little reason to be pleased with his situation. He not only found himself a prisoner very strictly guarded: all his friends were kept at a distance; and no intercourse, either by letters or conversation, was allowed him, with any one on whom he could depend, or who was suspected of any attachment towards him. The Scottish generals would enter into no confidence with him; and still treated him with distant ceremony and feigned respect. And every proposal, which they made him, tended farther to his abasement and to his ruin.⁵⁹

They required him to issue orders to Oxford, and all his other garrisons, commanding their surrender to the parliament: and the king, sensible that their resistance was to very little purpose, willingly complied. The terms given to most of them were honourable; and Fairfax, as far as it lay in his power, was very exact in observing them. Far from allowing violence, he would not even permit insults or triumph over the unfortunate royalists; and by his generous humanity, so cruel a civil war was ended, in appearance very calmly, between the parties.

Ormond having received the like orders, delivered Dublin, and other forts, into the hands of the parliamentary officers. Montrose also, after having experienced still more variety of good and bad fortune, threw down his arms, and retired out of the kingdom.

The marquis of Worcester, a man past eighty four, was the last in England that submitted to the authority of the parliament. He defended Raglan castle to extremity; and opened not its gates till the middle of August. Four years, a few days excepted, were now elapsed, since the king first erected his standard at Nottingham.⁶⁰ So long had the British nations, by civil and religious quarrels, been occupied in shedding their own blood, and laying waste their native country.

The parliament and the Scots laid their proposals before the king. They were such as a captive, entirely at mercy, could expect from the most inexorable victor: yet were they little worse than what were insisted on before the battle of Naseby. The power of the sword, instead of ten, which the king now offered, was demanded for twenty years, together with a right to levy whatever money the parliament should think proper for the support of their armies. The other conditions were, in the main, the same with those which had formerly been offered to the king.⁶¹

Charles said, that proposals which introduced such important innovations in the constitution, demanded time for deliberation: the commissioners replied, that he must give his answer in ten days.⁶² He desired to reason about the meaning and import of some terms: they informed him, that they had no power of debate;

and peremptorily required his consent or refusal. He requested a personal treaty with the parliament: they threatened, that, if he delayed compliance, the parliament would, by their own authority, settle the nation.

What the parliament was most intent upon, was not their treaty with the king, to whom they paid little regard; but that with the Scots. Two important points remained to be settled with that nation; their delivery of the king, and the estimation of their arrears.

The Scots might pretend, that as Charles was king of Scotland as well as of England, they were entitled to an equal vote in the disposal of his person: and that, in such a case, where the titles are equal, and the subject indivisible, the preference was due to the present possessor. The English maintained, that the king being in England, was comprehended within the jurisdiction of that kingdom, and could not be disposed of by any foreign nation. A delicate question this, and what surely could not be decided by precedent; since such a situation is not, any where, to be found in history.⁶³

As the Scots concurred with the English, in imposing such severe conditions on the king, that, notwithstanding his unfortunate situation, he still refused to accept of them; it is certain that they did not desire his freedom: nor could they ever intend to join lenity and rigour together, in so inconsistent a manner. Before the settlement of terms, the administration must be possessed entirely by the parliaments of both kingdoms; and how incompatible that scheme with the liberty of the king, is easily imagined. To carry him a prisoner into Scotland, where few forces could be supported to guard him, was a measure so full of inconvenience and danger, that, even if the English had consented to it, must have appeared to the Scots themselves altogether ineligible. and how could such a plan be supported in opposition to England, possessed of such numerous and victorious armies, which were, at that time, at least seemed to be, in entire union with the parliament? The only expedient, it is obvious, which the Scots could embrace, if they scrupled wholly to abandon the king, was immediately to return, fully and cordially, to their allegiance; and, uniting themselves with the royalists in both kingdoms, endeavour, by force of arms, to reduce the English parliament to more moderate conditions: but besides that this measure was full of extreme hazard; what was it but instantly to combine with their old enemies against their old friends; and, in a fit of romantic generosity, overturn what, with so much expence of blood and treasure, they had, during the course of so many years, been so carefully erecting?

But, though all these reflections occurred to the Scottish commissioners, they resolved to

prolong the dispute, and to keep the king as a pledge for those arrears which they claimed from England, and which they were not likely, in the present disposition of that nation, to obtain by any other expedient. The sum, by their account, amounted to near two millions: for they had received little regular pay since they had entered England. And though the contributions which they had levied, as well as the price of their living at free-quarters, must be deducted; yet still the sum which they insisted on was very considerable. After many discussions, it was, at last, agreed, that, in lieu of all demands, they should accept of 400,000 pounds, one half to be paid instantly, another in two subsequent payments.⁶⁴

Great pains were taken by the Scots (and the English complied with their pretended delicacy) to make this estimation and payment of arrears appear a quite different transaction from that for the delivery of the king's person: but common sense requires, that they should be regarded as one and the same. The English, it is evident, had they not been previously assured of receiving the king, would never have parted with so considerable a sum; and, while they weakened themselves, by the same measure have strengthened a people, with whom they must afterwards have so material an interest to discuss.

Thus the Scottish nation underwent, and still undergo (for such grievous stains are not easily wiped off), the reproach of selling their king, and betraying their prince for money. In vain did they maintain, that this money was, on account of former services, undoubtedly their due; that in their present situation, no other measure, without the utmost indiscretion, or even their apparent ruin, could be embraced; and that, though they delivered their king into the hands of his open enemies, they were themselves as much his open enemies as those to whom they surrendered him, and their common hatred against him had long united the two parties in strict alliance with each other. They were still answered, that they made use of this scandalous expedient for obtaining their wages; and that, after taking arms, without any provocation, against their sovereign, who had ever loved and cherished them, they had deservedly fallen into a situation, from which they could not extricate themselves, without either infamy or imprudence.

The infamy of this bargain had such an influence on the Scottish parliament, that they once voted, that the king should be protected, and his liberty insisted on. But the general assembly interposed, and pronounced, that, as he had refused to take the covenant, which was pressed on him, it became not the godly to concern themselves about his fortunes. After this declaration, it behoved the parliament to retract their vote.⁶⁵

Intelligence concerning the final resolution of the Scottish nation to surrender him, was brought to the king; and he happened, at that very time, to be playing at chess.⁶⁶ Such command of temper did he possess, that he continued his game without interruption; and none of the by-standers could perceive, that the letter, which he perused, had brought him news of any consequence. The English commissioners, who, some days after, came to take him under their custody, were admitted to kiss his hands; and he received them with the same grace and cheerfulness, as if they had travelled on no other errand than to pay court to him. The old earl of Pembroke in particular, who was one of them, he congratulated on his strength and vigour, that he was still able, during such a season, to perform so long a journey, in company with so many young people.

KING DELIVERED UP BY THE SCOTS. 1647.

THE king being delivered over by the Scots to the English commissioners, was conducted, under a guard, to Holdenby, in the county of Northampton. On his journey, the whole country flocked to behold him, moved partly by curiosity, partly by compassion and affection. If any still retained rancour against him, in his present condition, they passed in silence; while his well-wishers, more generous than prudent, accompanied his march with tears, with acclamations, and with prayers for his safety.⁶⁷ That ancient superstition likewise, of desiring the king's touch in acro-

phulous distempers, seemed to acquire fresh credit among the people, from the general tenderness which began to prevail for this virtuous and unhappy monarch.

The commissioners rendered his confinement at Holdenby very rigorous; dismissing his ancient servants, debarring him from visits, and cutting off all communication with his friends or family. The parliament, though earnestly applied to by the king, refused to allow his chaplains to attend him, because they had not taken the covenant. The king refused to assist at the service exercised according to the directory; because he had not as yet given his consent to that mode of worship.⁶⁸ Such religious zeal prevailed on both sides! And such was the unhappy and distracted condition to which it had reduced king and people!

During the time that the king remained in the Scottish army at Newcastle, died the earl of Essex, the discarded, but still powerful and popular, general of the parliament. His death, in this conjuncture, was a public misfortune. Fully sensible of the excesses to which affairs had been carried, and of the worse consequences which were still to be apprehended, he had resolved to conciliate a peace, and to remedy, as far as possible, all those ills to which, from mistake rather than any bad intentions, he had himself so much contributed. The presbyterian, or the moderate party among the commons, found themselves considerably weakened by his death: and the small remains of authority which still adhered to the house of peers, were in a manner wholly extinguished.⁶⁹

NOTES.

- 1 Nelson, Intr. p. 63.
 2 It is not improper to take notice of a mistake committed by Clarendon, much to the disadvantage of this gallant nobleman; that he offered the king, when his majesty was in Scotland, to assassinate Argyle. All the time the king was in Scotland, Montrose was confined to prison. Rushworth, vol. vi. p. 980.
 3 Nelson, vol. ii. p. 683.
 4 Clarendon, vol. iii. p. 380, 381. Rushworth, vol. vi. p. 980. Wishart, cap. 2.
 5 Wishart, cap. 3.
 6 Clarendon, vol. v. p. 618. Rushworth, vol. vi. p. 982. Wishart, cap. 4.
 7 1st of Sept. 1644. Rushworth, vol. vi. p. 983. Wishart, cap. 5.
 8 11th of Sept. 1644. Rushworth, vol. vi. p. 983. Wishart, cap. 7.
 9 Rushworth, vol. vi. p. 983. Wishart, cap. 8.
 10 Rushworth, vol. vii. p. 228. Wishart, cap. 9.
 11 Rushworth, vol. vii. p. 229. Wishart, cap. 10.
 12 2nd of July.
 13 Rushworth, vol. vii. p. 229. Wishart, cap. 11.
 14 Rushworth, vol. vii. p. 126, 127.
 15 Degdale, p. 7. Rushworth, vol. vi. p. 981.
 16 Rushworth, vol. vii. p. 52. 61, 62. Whitlocke, p. 150, 131, 133. Clarendon, vol. v. p. 665.
 17 Rushworth, vol. vii. p. 18, 19, &c.
 18 Rushworth, vol. vii. p. 28.
 19 Clarendon, vol. v. p. 659.
 20 Whitlocke, p. 146.
 21 Rushworth, vol. vii. p. 43. Whitlocke, p. 145.
 22 Whitlocke, p. 145.
 23 Rushworth, vol. vii. p. 44.
 24 Clarendon, vol. iv. p. 656, 657. Walker, p. 130, 131.
 25 Clarendon, vol. iv. p. 658.
 26 Hearne has published the following extract from a manuscript work of sir Simon D'Ewes, who was no mean man in the parliamentary party. "On Thursday, the 30th and last day of this instant, June 1623, I went to Whitehall, purposely to see the queen, which I did fully all the time she sat at dinner. I perceiv'd her to be a most absolute delicate lady, after I had exactly survey'd all the features of her face, much enliven'd by her radiant and sparkling black eyes. Besides, her deportment among her women was so sweet and humble, and her speech and looks to her other servants so mild and gracious, as I could not abstain from divers deep fetched sighs, to consider, that she wanted the knowledge of the true religion." See preface to the Chronicle of Dunstable, p. 64.
 27 Rushworth, vol. vii. p. 49.
 28 Rushworth, vol. vii. p. 55.
 29 Rushworth, vol. vii. p. 83.
 30 Clarendon, vol. iv. p. 690. Walker, p. 137.
 31 Clarendon, vol. iv. p. 695.
 32 28th of June.
 33 Rushworth, vol. vii. p. 117.
 34 These compositions were different, according to the demerits of the person: but by a vote of the house they could not be under two years' rent of the delinquent's estate. Journ. 11th of Aug. 1648. Whitlocke, p. 160.
 35 Rushworth, vol. vii. p. 108.
 36 15th Aug. 1645.
 37 Rushworth, vol. vii. p. 230, 231. Wishart, cap. 13.
 38 13th of Sept. 1645.
 39 Rushworth, vol. vii. p. 231.
 40 Guthry's Memoirs. Rushworth, vol. vii. p. 232.
 41 Rushworth, vol. vii. p. 141. It was the same Astley who, before he charged at the battle of Edgehill, made this short prayer, *O Lord! thou knowest how busy I must be this day. If I forget thee, do not thou forget me.* And with that rose up, and cry'd *March on, boys!* Warwick, p. 225. There was certainly much longer prayers said in the parliamentary army; but I doubt if there were so good a one.
 42 Carte's Ormond, vol. iii. No. 433.
 43 Walker, p. 147.
 44 Rushworth, vol. vii. p. 215, &c.
 45 Rushworth, vol. vii. p. 217-229. Clarendon, vol. iv. p. 744.
 46 Rushworth, vol. vii. p. 249. Clarendon, vol. iv. p. 741.
 47 Rushworth, vol. vii. p. 239.
 48 Birch, p. 119.
 49 Rushworth, vol. vii. p. 224.
 50 Whitlocke, p. 106. Rushworth, vol. vii. p. 260, 261.
 51 Rushworth, vol. vii. p. 210.
 52 Rushworth, vol. vii. p. 308.
 53 Clarendon, vol. iv. p. 750. vol. v. p. 16.
 54 Rushworth, vol. vii. p. 267.
 55 Whitlocke, p. 209.
 56 Rushworth, vol. vii. p. 271. Clarendon, vol. v. p. 25.
 57 2 Sam. chap. xix. 41, 42, and 43 versus See Clarendon, vol. v. p. 23, 24.
 58 Whitlocke, p. 234.
 59 Clarendon, vol. v. p. 30.
 60 Rushworth, vol. vii. p. 209.
 61 Rushworth, vol. vi. p. 309.
 62 Rushworth, vol. vii. p. 319.
 63 Rushworth, vol. vii. p. 339.
 64 Rushworth, vol. vii. p. 336. Parl. Hist. vol. xv. p. 236.
 65 Parl. Hist. vol. xv. p. 243, 244.
 66 Burnet's Memoirs of the Hamiltons.
 67 Ludlow, Herbert.
 68 Clarendon, vol. v. p. 39. Warwick, p. 298.
 69 Clarendon, vol. v. p. 43.

CHAPTER LIX.

Mutiny of the Army.—The King seized by Joyce.—The Army march against the Parliament.—The Army subdue the Parliament.—The King flies to the Isle of Wight.—Second Civil War.—Invasion from Scotland.—The Treaty of Newport.—The Civil War and Invasion repressed.—The King seized again by the Army.—The House purged.—The King's Trial, and Execution—His Character.

THE dominion of the parliament was of short duration. No sooner had they subdued their sovereign, than their own servants rose against them, and tumbled them from their slippery throne. The sacred boundaries of the laws being once violated, nothing remained to confine the wild projects of zeal and ambition. And every successive revolution became a precedent for that which followed it.

In proportion as the terror of the king's power diminished, the division between independent and presbyterian became every day more apparent; and the neutrals found it at last requisite to seek shelter in one or the other faction. Many new writs were issued for elections, in the room of members who had died, or were disqualified by adhering to the king; yet still the presbyterians retained the superiority among the commons: and all the peers, except lord Say, were esteemed of that party. The independents, to whom the inferior secretaries adhered, predominated in the army: and the troops of the new model were universally infected with that enthusiastic spirit. To their assistance did the independent party among the commons chiefly trust, in their projects for acquiring the ascendant over their antagonists.

Soon after the retreat of the Scots, the presbyterians, seeing every thing reduced to obedience, began to talk of diminishing the army: and, on pretence of easing the public burdens, they levelled a deadly blow at the opposite faction. They purposed to embark a strong detachment, under Skippon and Massey, for the service of Ireland: they openly declared their intention of making a great reduction of the remainder.¹ It was even imagined, that another new model of the army was projected, in order to regain to the presbyterians that superiority which they had so imprudently lost by the former.²

The army had small inclination to the service of Ireland; a country barbarous, uncultivated, and laid waste by massacres and civil commotions: they had less inclination to disband, and to renounce that pay, which, having earned it through fatigues and dangers, they now purposed to enjoy in ease and tranquillity. And most of the officers, having risen from the drags of the people, had no other prospect, if

deprived of their commission, than that of returning to languish in their native poverty and obscurity.

These motives of interest acquired additional influence, and became more dangerous to the parliament, from the religious spirit by which the army was universally actuated. Among the generality of men, educated in regular, civilized societies, the sentiments of shame, duty, honour, have considerable authority, and serve to counterbalance and direct the motives derived from private advantage: but, by the predominancy of enthusiasm among the parliamentary forces, these salutary principles lost their credit, and were regarded as mere human inventions, yea moral institutions, fitter for heathens than for christians.³ The saint, resigned over to superior guidance, was at full liberty to gratify all his appetites, disguised under the appearance of pious zeal. And, besides the strange corruptions engendered by this spirit, it eluded and loosened all the ties of morality, and gave entire scope, and even sanction, to the selfishness and ambition which naturally adhere to the human mind.

The military confessors were farther encouraged in disobedience to superiors, by that spiritual pride to which a mistaken piety is so subject. They were not, they said, mere janizaries; mercenary troops enlisted for hire, and to be disposed of at the will of their paymasters.⁴ Religion and liberty were the motives which had excited them to arms; and they had a superior right to see those blessings, which they had purchased with their blood, ensured to future generations. By the same title that the presbyterians, in contradistinction to the royalists, had appropriated to themselves the epithet of *godly* or the *well affected*,⁵ the independents did now, in contradistinction to the presbyterians, assume this magnificent appellation, and arrogate all the ascendant, which naturally belongs to it.

Hearing of parties in the house of commons, and being informed that the minority were friends to the army, the majority enemies; the troops naturally interested themselves in that dangerous distinction, and were eager to give the superiority to their partisans. Whatever hardships they underwent, though perhaps derived from inevitable necessity, were ascribed

to a settled design of oppressing them, and represented as an effect of the animosity and malice of their adversaries.

Notwithstanding the great revenue, which accrued from taxes, assessments, sequestrations, and compositions, considerable arrears were due to the army; and many of the private men, as well as officers, had near a twelve-month's pay still owing them. The army suspected, that this deficiency was purposely contrived in order to oblige them to live at free quarters; and by rendering them odious to the country, serve as a pretence for disbanding them. When they saw such members as were employed in committees and civil offices accumulate fortunes, they accused them of rapine and public plunder. And, as no plan was pointed out by the commons, for the payment of arrears, the soldiers dreaded, that, after they should be disbanded or embarked for Ireland, their enemies, who predominated in the two houses, would entirely defraud them of their right, and oppress them with impunity.

MUTINY OF THE ARMY.

On this ground or pretence did the first commotions begin in the army. A petition, addressed to Fairfax the general, was handed about; craving an indemnity, and that ratified by the king, for any illegal actions, of which, during the course of the war, the soldiers might have been guilty; together with satisfaction in arrears, freedom from pressing, relief of widows and maimed soldiers, and pay till disbanded.⁶ The commons, aware of what combustible materials the army was composed, were alarmed at this intelligence. Such a combination, they knew, if not checked in its first appearance, must be attended with the most dangerous consequences, and must soon exalt the military above the civil authority. Besides summoning some officers to answer for this attempt, they immediately (30th March) voted, that the petition tended to introduce mutiny, to put conditions upon the parliament, and to obstruct the relief of Ireland; and they threatened to proceed against the promoters of it, as enemies to the state, and disturbers of public peace.⁷ This declaration, which may be deemed violent, especially as the army had some ground for complaint, produced fatal effects. The soldiers lamented, that they were deprived of the privileges of Englishmen; that they were not allowed so much as to represent their grievances; that, while petitions from Essex and other places were openly encouraged against the army, their mouths were stopped; and that they who were the authors of liberty to the nation, were reduced, by a faction in parliament, to the most grievous servitude.

In this disposition was the army found by Warwic, Dacres, Massey, and other commis-

sioners, who were sent to make them proposals for entering into the service of Ireland.⁸ Instead of enlisting, the generality objected to the terms; demanded an indemnity; were clamorous for their arrears: and, though they expressed no dissatisfaction against Skippon, who was appointed commander, they discovered much stronger inclination to serve under Fairfax and Cromwel.⁹ Some officers, who were of the presbyterian party, having entered into engagements for this service, could prevail on very few of the soldiers to enlist under them. And, as these officers lay all under the grievous reproach of deserting the army, and betraying the interest of their companions, the rest were farther confirmed in that confederacy, which they had secretly formed.¹⁰

To petition and remonstrate being the most cautious method of conducting a confederacy, an application to parliament was signed by near two hundred officers; in which they made their apology with a very imperious air, asserted their right of petitioning, and complained of that imputation thrown upon them by the former declaration of the lower house.¹¹ The private men likewise of some regiments sent a letter to Skippon; in which, together with insisting on the same topics, they lament that designs were formed against them and many of the godly party in the kingdom; and declare that they could not engage for Ireland, till they were satisfied in their expectations, and had their just desires granted.¹² The army, in a word, felt their power, and resolved to be masters.

The parliament too resolved, if possible, to preserve their dominion; but being destitute of power, and not retaining much authority, it was not easy for them to employ any expedient which could contribute to their purpose. The expedient which they now made use of, was the worst imaginable. They sent Skippon, Cromwel, Ireton, and Fleetwood, to the head quarters at Saffron Walden in Essex (7th of May); and empowered them to make offers to the army, and enquire into the cause of its *distempers*. These very generals, at least the three last, were secretly the authors of all the discontents; and failed not to foment those disorders, which they pretended to appease. By their suggestion, a measure was embraced, which, at once, brought matters to extremity, and rendered the mutiny incurable.

In opposition to the parliament at Westminster, a military parliament was formed. Together with a council of the principal officers, which was appointed after the model of the house of peers; a more free representative of the army was composed, by the election of two private men or inferior officers; under the title of agitators, from each troop or company.¹³ By these means, both the general humour of that time was gratified, intent on plans of

imaginary republics; and an easy method contrived for conducting underhand, and propagating, the sedition of the army.

This terrible court, when assembled, having first declared that they found no *distempers* in the army, but many *grievances*, under which it laboured, immediately voted the offers of the parliament unsatisfactory. Eight weeks' pay alone, they said, was promised; a small part of fifty-six weeks, which they claimed as their due: no visible security was given for the remainder; and having been declared public enemies by the commons, they might hereafter be prosecuted as such, unless the declaration were recalled.¹⁴ Before matters came to this height, Cromwel had posted up to London, on pretence of laying before the parliament the rising discontents of the army.

The parliament made one vigorous effort more, to try the force of their authority: they voted that all the troops which did not engage for Ireland, should instantly be disbanded in their quarters.¹⁵ At the same time, the council of the army ordered a general rendezvous of all the regiments, in order to provide for their common interests. And while they thus prepared themselves for opposition to the parliament, they struck a blow, which at once decided the victory in their favour.

THE KING SEIZED BY JOYCE. June 3.

A PARTY of five hundred horse appeared at Holdenby, conducted by one Joyce, who had once been a taylor by profession; but was now advanced to the rank of cornet, and was an active agitator in the army. Without being opposed by the guard, whose affections were all on their side, Joyce came into the king's presence, armed with pistols, and told him, that he must immediately go along with him. *Whither?* said the king. *To the army,* replied Joyce. *By what warrant?* asked the king. Joyce pointed to the soldiers, whom he brought along; tall, handsome, and well accoutred. *Your warrant,* said Charles, smiling, *is writ in fair characters, legible without spelling.*¹⁶ The parliamentary commissioners came into the room: they asked Joyce, whether he had any orders from the parliament? he said, *No*: from the general? *No*: by what authority he came? He made the same reply as to the king: *they would write,* they said, *to the parliament to know their pleasure. You may do so,* replied Joyce; *but in the mean time the king must immediately go with me.* Resistance was vain. The king, after protracting the time as long as he could, went into his coach; and was safely conducted to the army, who were hastening to their rendezvous at Triplo-Heath, near Cambridge. The parliament, informed of this event by their commissioners, were thrown into the utmost consternation.¹⁷

Fairfax himself was no less surprised at the king's arrival. That bold measure, executed by Joyce, had never been communicated to the general. The orders were entirely verbal; and nobody avowed them. And while every one affected astonishment at the enterprise, Cromwel, by whose council it had been directed, arrived from London, and put an end to their deliberations.

This artful and audacious conspirator had conducted himself in the parliament with such profound dissimulation, with such refined hypocrisy, that he had long deceived those, who, being themselves very dexterous practitioners, in the same arts, should naturally have entertained the more suspicion against others. At every intelligence of disorders in the army, he was moved to the highest pitch of grief and of anger. He wept bitterly: he lamented the misfortunes of his country: he advised every violent measure for suppressing the mutiny; and by these precipitate counsels, at once seemed to evince his own sincerity, and enflamed those discontents, of which he intended to make advantage. He obtested heaven and earth, that his devoted attachment to the parliament had rendered him so odious in the army, that his life, while among them, was in the utmost danger; and he had very narrowly escaped a conspiracy formed to assassinate him. But information being brought, that the most active officers and agitators were entirely his creatures, the parliamentary leaders secretly resolved, that, next day, when he should come to the house, an accusation should be entered against him, and he should be sent to the Tower.¹⁸ Cromwel, who in the conduct of his desperate enterprises frequently approached to the very brink of destruction, knew how to make the requisite turn with proper dexterity and boldness. Being informed of this design, he hastened to the camp; where he was received with acclamations, and was instantly invested with the supreme command, both of general and army.

Fairfax, having neither talents himself for cabal, nor penetration to discover the cabals of others, had given his entire confidence to Cromwel; who, by the best-coloured pretences, and by the appearance of an open sincerity and a scrupulous conscience, imposed on the easy nature of this brave and virtuous man. The council of officers and the agitators were moved altogether by Cromwel's direction, and conveyed his will to the whole army. By his profound and artful conduct, he had now attained a situation, where he could cover his enterprises from public view; and seeming either to obey the commands of his superior officer, or yield to the movements of the soldiers, could secretly pave the way for his future greatness. While the disorders of the army were yet in their infancy, he kept at a distance, lest his

counterfeit aversion might throw a damp upon them, or his secret encouragement beget suspicion in the parliament. As soon as they came to maturity, he openly joined the troops; and in the critical moment, struck that important blow of seizing the king's person, and depriving the parliament of any resource of an accommodation with him. Though one vizor fell off, another still remained to cover his natural countenance. Where delay was requisite, he could employ the most indefatigable patience: where celerity was necessary, he flew to a decision. And by thus uniting in his person the most opposite talents, he was enabled to combine the most contrary interests in a subserviency to his secret purposes.

THE ARMY MARCH AGAINST THE PARLIAMENT.

THE parliament, though at present defenceless, was possessed of many resources; and time might easily enable them to resist that violence with which they were threatened. Without farther deliberation, therefore, Cromwell advanced the army upon them, and arrived in a few days at St. Albans.

Nothing could be more popular than this hostility which the army commenced against the parliament. As much as that assembly was once the idol of the nation, as much was it now become the object of general hatred and aversion.

The self-denying ordinance had no longer been put in execution, than till Essex, Manchester, Waller, and the other officers of that party, had resigned their commission: immediately after, it was laid aside by tacit consent; and the members, sharing all offices of power and profit among them, proceeded with impunity in exercising acts of oppression on the helpless nation. Though the necessity of their situation might serve as an apology for many of their measures, the people, not accustomed to such a species of government, were not disposed to make the requisite allowances.

A small supply of 100,000 pounds a year could never be obtained by former kings from the jealous humour of parliaments; and the English, of all nations in Europe, were the least accustomed to taxes: but this parliament, from the commencement of the war, according to some computations, had levied, in five years, above forty millions;¹⁹ yet were loaded with debts and incumbrances, which, during that age, were regarded as prodigious. If these computations should be thought much exaggerated, as they probably are,²⁰ the taxes and impositions were certainly far higher than in any former state of the English government; and such popular exaggerations are, at least, a proof of popular discontents.

But the disposal of this money was no less

the object of general complaint against the parliament than the levying of it. The sum of 300,000 pounds they openly took, 'tis affirmed,²¹ and divided among their own members. The committees, to whom the management of the different branches of revenue was intrusted, never brought in their accounts, and had unlimited power of secreting whatever sums they pleased from the public treasure.²² These branches were needlessly multiplied, in order to render the revenue more intricate, to share the advantages among greater numbers, and to conceal the frauds of which they were universally suspected.²³

The method of keeping accounts practised in the exchequer was confessedly the exactest, the most ancient, the best known, and the least liable to fraud. The exchequer was, for that reason, abolished, and the revenue put under the management of a committee who were subject to no control.²⁴

The excise was an odious tax, formerly unknown to the nation; and was now extended over provisions, and the common necessities of life. Near one half of the goods and chattels, and at least one half of the lands, rents, and revenues of the kingdom had been sequestered. To great numbers of royalists, all redress from these sequestrations was refused: to the rest, the remedy could be obtained only by paying large compositions and subscribing the covenant, which they abhorred. Besides pitying the ruin and desolation of so many ancient and honourable families, indifferent spectators could not but blame the hardship of punishing with such severity, actions which the law in its usual and most undisputed interpretation strictly required of every subject.

The severities too, exercised against the episcopal clergy, naturally affected the royalists, and even all men of candour, in a sensible manner. By the most moderate computation,²⁵ it appears, that above one half of the established clergy had been turned out to beggary and want, for no other crime than their adhering to the civil and religious principles in which they had been educated; and for their attachment to those laws under whose countenance they had at first embraced that profession. To renounce episcopacy and the liturgy, and to subscribe the covenant, were the only terms which could save them from so rigorous a fate; and if the least mark of malignancy, as it was called, or affection to the king, who so entirely loved them, had ever escaped their lips, even this hard choice was not permitted. The sacred character, which gives the priesthood such authority over mankind, becoming more venerable from the sufferings endured, for the sake of principle, by these distressed royalists, aggravated the general indignation against their persecutors.

But what excited the most universal com-

plaint was, the unlimited tyranny and despotic rule of the country-committees. During the war, the discretionary power of these courts was excused, from the plea of necessity: but the nation was reduced to despair, when it saw neither end put to their duration, nor bounds to their authority. These could sequester, fine, imprison, and corporally punish, without law or remedy. They interposed in questions of private property. Under colour of malignancy, they exercised vengeance against their private enemies. To the obnoxious, and sometimes to the innocent, they sold their protection. And instead of one star-chamber, which had been abolished, a great number were anew erected, fortified with better pretences, and armed with more unlimited authority.⁹⁶

Could any thing have increased the indignation against that slavery, into which the nation, from the too eager pursuit of liberty, had fallen, it must have been the reflection on the pretences by which the people had so long been deluded. The sanctified hypocrites, who called their oppressions the spoiling of the Egyptians, and their rigid severity the dominion of the elect, interlarded all their iniquities with long and fervent prayers, saved themselves from blushing by their pious grimaces, and exercised in the name of the Lord, all their cruelty on men. An undisguised violence could be forgiven: but such a mockery of the understanding, such an abuse of religion, were, with men of penetration, objects of peculiar resentment.

The parliament, conscious of their decay in popularity, seeing a formidable armed force advance upon them, were reduced to despair, and found all their resources much inferior to the present necessity. London still retained a strong attachment to presbyterianism; and its militia, which was numerous, and had acquired reputation in wars, had by a late ordinance been put into hands in whom the parliament could entirely confide. This militia was now called out, and ordered to guard the lines, which had been drawn round the city, in order to secure it against the king. A body of horse was ordered to be instantly levied. Many officers, who had been cashiered by the new model of the army, offered their service to the parliament. An army of 5000 men lay in the north under the command of general Pointz, who was of the presbyterian faction; but these were too distant to be employed in so urgent a necessity. The forces destined for Ireland were quartered in the west; and, though deemed faithful to the parliament, they also lay at a distance. Many inland garrisons were commanded by officers of the same party; but their troops, being so much dispersed, could at present be of no manner of service. The Scots were faithful friends, and zealous for presbytery and the covenant; but a long time

was required, ere they could collect their forces, and march to the assistance of the parliament.

In this situation, it was thought more prudent to submit, and by compliance to stop the fury of the enraged army. The declaration, by which the military petitioners had been voted public enemies, was recalled and erased from the journal-book.⁹⁷ This was the first symptom which the parliament gave of submission; and the army, hoping, by terror alone, to effect all their purposes, stopped at St. Albans, and entered into negotiation with their masters.

Here commenced the encroachments of the military upon the civil authority. The army, in their usurpations on the parliament, copied exactly the model which the parliament itself had set them, in their recent usurpations on the crown.

Every day they rose in their demands. If one claim was granted, they had another ready, still more enormous and exorbitant; and were determined never to be satisfied. At first they pretended only to petition for what concerned themselves as soldiers: next, they must have a vindication of their character: then it was necessary, that their enemies be punished.⁹⁸ At last they claimed a right of modelling the whole government, and settling the nation.⁹⁹

They preserved, in words, all deference and respect to the parliament; but, in reality, insulted them and tyrannised over them. That assembly they pretended not to accuse: it was only evil counsellors, who seduced and betrayed it.

On the 16th of June, they proceeded so far as to name eleven members, whom, in general terms, they charged with high treason, as enemies to the army and evil counsellors to the parliament. Their names were, Hollis, sir Philip Stapleton, sir William Lewis, sir John Clotworthy, sir William Waller, sir John Maynard, Massey, Glyn, Long, Harley, and Nicholas.¹⁰⁰ These were the very leaders of the presbyterian party.

They insisted, that these members should immediately be sequestered from parliament, and be thrown into prison.¹⁰¹ The commons replied, that they could not, upon a general charge, proceed so far.¹⁰² The army observed to them, that the cases of Strafford and Laud were direct precedents for that purpose.¹⁰³ At last, the eleven members themselves, not to give occasion for discord, begged leave to retire from the house; and the army, for the present, seemed satisfied with this mark of submission.¹⁰⁴

Pretending that the parliament intended to levy war upon them, and to involve the nation again in blood and confusion, they required, that all new levies should be stopped. The parliament complied with this demand.¹⁰⁵

There being no signs of resistance, the army, in order to save appearances, removed, at the

desire of the parliament, to a greater distance from London, and fixed their head-quarters at Reading. They carried the king along with them in all their marches.

That prince now found himself in a better situation than at Holdenby, and had attained some greater degree of freedom, as well as of consideration, with both parties.

All his friends had access to his presence: his correspondence with the queen was not interrupted: his chaplains were restored to him, and he was allowed the use of the liturgy: his children were once allowed to visit him, and they passed a few days at Caversham, where he then resided.³⁶ He had not seen the duke of Gloucester, his youngest son, and the princess Elizabeth, since he left London, at the commencement of the civil disorders;³⁷ nor the duke of York, since he went to the Scottish army before Newark. No private man, unacquainted with the pleasures of a court and the tumult of a camp, more passionately loved his family, than did this good prince; and such an instance of indulgence in the army was extremely grateful to him. Cromwel, who was witness to the meeting of the royal family, confessed, that he never had been present at so tender a scene; and he extremely applauded the benignity which displayed itself in the whole disposition and behaviour of Charles.

That artful politician, as well as the leaders of all parties, paid court to the king; and fortune, notwithstanding all his calamities, seemed again to smile upon him. The parliament, afraid of his forming some accommodation with the army, addressed him in a more respectful style than formerly; and invited him to reside at Richmond, and contribute his assistance to the settlement of the nation. The chief officers treated him with regard, and spake on all occasions of restoring him to his just powers and prerogatives. In the public declarations of the army, the settlement of his revenue and authority were insisted on.³⁸ The royalists, every where, entertained hopes of the restoration of monarchy; and the favour which they universally bore to the army, contributed very much to discourage the parliament, and to forward their submission.

The king began to feel of what consequence he was. The more the national confusions increased, the more was he confident that all parties would, at length, have recourse to his lawful authority as the only remedy for the public disorders. *You cannot be without me,* said he, on several occasions: *you cannot settle the nation but by my assistance.* A people without government and without liberty, a parliament without authority, an army without a legal master: distractions every where, terrors, oppressions, convulsions: from this scene of confusion, which could not long con-

tinue, all men, he hoped, would be brought to reflect on that ancient government, under which they and their ancestors had so long enjoyed happiness and tranquillity.

Though Charles kept his ears open to all proposals, and expected to hold the balance between the opposite parties, he entertained more hopes of accommodation with the army. He had experienced the extreme rigour of the parliament. They pretended totally to annihilate his authority: they had confined his person. In both these particulars, the army showed more indulgence.³⁹ He had a free intercourse with his friends. And in the proposals, which the council of officers sent for the settlement of the nation, they insisted neither on the abolition of episcopacy, nor of the punishment of the royalists; the two points to which the king had the most extreme reluctance: and they demanded, that a period should be put to the present parliament, the event for which he most ardently longed.

His conjunction too seemed more natural with the generals, than with that usurping assembly, who had so long assumed the entire sovereignty of the state, and who had declared their resolution still to continue masters. By gratifying a few persons with titles and preferments, he might draw over, he hoped, the whole military power, and, in an instant, re-instate himself in his civil authority. To Ireton he offered the lieutenancy of Ireland: to Cromwel, the garter, the title of earl of Essex, and the command of the army. Negotiations to this purpose were secretly conducted. Cromwel pretended to hearken to them; and was well pleased to keep the door open for an accommodation, if the course of events should, at any time, render it necessary. And the king, who had no suspicion that one born a private gentleman could entertain the daring ambition of seizing a sceptre transmitted through a long line of monarchs, indulged hopes that he would, at last, embrace a measure which, by all the motives of duty, interest, and safety, seemed to be recommended to him.

While Cromwel allured the king by these expectations, he still continued his scheme of reducing the parliament to subjection, and depriving them of all means of resistance. To gratify the army, the parliament invested Fairfax with the title of general in chief of all the forces in England and Ireland; and intrusted the whole military authority to a person who, though well inclined to their service, was no longer at his own disposal.

They voted that the troops which, in obedience to them, had enlisted for Ireland, and deserted the rebellious army, should be disbanded, or, in other words, be punished for their fidelity. The forces in the north, under Points, had already mutinied against their general, and had entered into an association with that body of

the army which was so successfully employed in exalting the military above the civil authority.⁴⁰

That no resource might remain to the parliament, it was demanded, that the militia of London should be changed, the presbyterian commissioners displaced, and the command restored to those who, during the course of the war, had constantly exercised it. The parliament even complied with so violent a demand, and passed a vote in obedience to the army.⁴¹

By this unlimited patience they purposed to temporize under their present difficulties, and they hoped to find a more favourable opportunity for recovering their authority and influence: but the impatience of the city lost them all the advantage of their cautious measures. A petition against the alteration of the militia was carried to Westminster (20th July) attended by the apprentices and seditious multitude, who besieged the door of the house of commons; and by their clamour, noise, and violence, obliged them to reverse that vote, which they had passed so lately. When gratified in this pretension, they immediately dispersed, and left the parliament at liberty.⁴²

No sooner was intelligence of this tumult conveyed to Reading, than the army was put in motion. The two houses being under restraint, they were resolved, they said, to vindicate, against the seditious citizens, the invaded privileges of parliament, and restore that assembly to its just freedom of debate and counsel. In their way to London, they were drawn up on Hounslow-heath; a formidable body, twenty thousand strong, and determined, without regard to laws or liberty, to pursue whatever measures their generals should dictate to them. Here the most favourable event happened, to quicken and encourage their advance. The speakers of the two houses, Manchester and Lenthal, attended by eight peers, and about sixty commoners, having secretly retired from the city, presented themselves with their maces, and all the ensigns of their dignity; and complaining of the violence put upon them, applied to the army for defence and protection. They were received with shouts and acclamations: respect was paid to them as to the parliament of England; and the army being provided with so plausible a pretence, which, in all public transactions, is of great consequence, advanced to chastise the rebellious city, and to reinstate the violated parliament.⁴³

Neither Lenthal nor Manchester were esteemed independents; and such a step in them was unexpected. But they probably foresaw, that the army must, in the end, prevail; and they were willing to pay court in time to that authority, which began to predominate in the nation.

The parliament, forced from their temporizing measures, and obliged to resign, at once,

or combat for their liberty and power, prepared themselves with vigour for defence, and determined to resist the violence of the army. The two houses immediately chose new speakers, lord Hunsdon, and Henry Pelham: they renewed their former orders for enlisting troops: they appointed Massey to be commander: they ordered the trained bands to man the lines: and the whole city was in a ferment, and resounded with military preparations.⁴⁴

When any intelligence arrived, that the army stopped or retreated, the shout of *One and all*, ran with alacrity, from street to street, among the citizens: when news came of their advancing, the cry of *Treat and capitulate*, was no less loud and vehement.⁴⁵ The terror of an universal pillage, and even massacre, had seized the timid inhabitants.

THE ARMY SUBDUES THE PARLIAMENT.

As the army approached, Rainsborow, being sent by the general over the river, presented himself before Southwark, and was gladly received by some soldiers, who were quartered there for its defence, and who were resolved not to separate their interests from those of the army. It behoved then the parliament to submit. The army marched in triumph through the city (6th Aug.), but preserved the greatest order, decency, and appearance of humility. They conducted to Westminster the two speakers, who took their seats as if nothing had happened. The eleven impeached members, being accused as authors of the tumult, were expelled; and most of them retired beyond sea: seven peers were impeached: the mayor, one sheriff, and three aldermen, sent to the Tower: several citizens and officers of the militia committed to prison: every deed of the parliament annulled, from the day of the tumult till the return of the speakers: the lines about the city levelled: the militia restored to the independents: regiments quartered in Whitehall and the Meuse: and the parliament being reduced to a regular formed servitude, a day was appointed of solemn thanksgiving for the restoration of its liberty.⁴⁶

The independent party among the commons exulted in their victory. The whole authority of the nation, they imagined, was now lodged in their hands; and they had a near prospect of moulding the government into that imaginary republic which had long been the object of their wishes. They had secretly concurred in all encroachments of the military upon the civil power; and they expected, by the terror of the sword, to impose a more perfect system of liberty on the reluctant nation. All parties, the king, the church, the parliament, the presbyterians, had been guilty of errors since the commencement of these disorders: but it must be confessed, that this delusion of the

independents and republicans was, of all others, the most contrary to common sense and the established maxims of policy. Yet were the leaders of that party, Vane, Fiennes, St. John, Martin, the men in England the most celebrated for profound thought and deep contrivance; and by their well-coloured pretences and professions, they had over-reached the whole nation. To deceive such men, would argue a superlative capacity in Cromwel; were it not that, besides the great difference there is between their dark, crooked councils and true wisdom, an exorbitant passion for rule and authority will make the most prudent overlook the dangerous consequences of such measures as seem to tend, in any degree, to their own advancement.

The leaders of the army, having established their dominion over the parliament and city, ventured to bring the king to Hampton-court, and he lived, for some time, in that palace, with an appearance of dignity and freedom. Such equability of temper did he possess, that during all the variety of fortune which he underwent, no difference was perceived in his countenance or behaviour; and though a prisoner, in the hands of his most inveterate enemies, he supported, towards all who approached him, the majesty of a monarch; and that neither with less nor greater state than he had been accustomed to maintain. His manner, which was not in itself popular nor gracious, now appeared amiable, from its great meekness and equality.

The parliament renewed their applications to him, and presented him with the same conditions which they had offered at Newcastle. The king declined accepting them, and desired the parliament to take the proposals of the army into consideration, and make them the foundation of the public settlement.⁴⁷ He still entertained hopes that his negotiations with the generals would be crowned with success; though every thing, in that particular, daily bore a worse aspect. Most historians have thought that Cromwel never was sincere in his professions; and that, having by force rendered himself master of the king's person, and, by fair pretences, acquired the countenance of the royalists, he had employed these advantages to the enslaving of the parliament: and afterwards thought of nothing but the establishment of his own unlimited authority, with which he esteemed the restoration, and even life of the king, altogether incompatible. This opinion, so much warranted by the boundless ambition and profound dissimulation of his character, meets with ready belief; though it is more agreeable to the narrowness of human views, and the darkness of futurity, to suppose, that this daring usurper was guided by events, and did not as yet foresee, with any assurance, that unparalleled greatness which he afterwards attained. Many writers of that age

have asserted, [*See note (M) at the end of this Vol.*] that he really intended to make a private bargain with the king; a measure which carried the most plausible appearance both for his safety and advancement: but that he found insuperable difficulties in reconciling to it the wild humours of the army. The horror and antipathy of these fanatics had, for many years, been artfully fomented against Charles; and though their principles were on all occasions easily warped and eluded by private interest, yet was some colouring requisite, and a flat contradiction to all former professions and tenets could not safely be proposed to them. It is certain, at least, that Cromwel made use of this reason, why he admitted rarely of visits from the king's friends, and showed less favour than formerly to the royal cause. The agitators, he said, had rendered him odious to the army, and had represented him as a traitor, who, for the sake of private interest, was ready to betray the cause of God to the great enemy of piety and religion. Desperate projects too, he asserted to be secretly formed, for the murder of the king; and he pretended much dread lest all his authority, and that of the commanding officers, would not be able to restrain these enthusiasts from their bloody purposes.⁴⁸

Intelligence being daily brought to the king, of menaces thrown out by the agitators, he began to think of retiring from Hampton-court, and of putting himself in some place of safety. The guards were doubled upon him: the promiscuous concourse of people restrained: a more jealous care exerted in attending his person: all, under colour of protecting him from danger; but really with a view of making him uneasy in his present situation. These artifices soon produced the intended effect. Charles, who was naturally apt to be swayed by counsel, and who had not then access to any good counsel, took suddenly a resolution of withdrawing himself, though without any concerted, at least any rational, scheme for the future disposal of his person. Attended only by sir John Berkeley, Ashburnham, and Leg, he privately left Hampton-court (11th Nov.); and his escape was not discovered till near an hour after; when those who entered his chamber found on the table some letters directed to the parliament, to the general, and to the officer who had attended him.⁴⁹ All night he travelled through the forest, and arrived next day at Titchfield, a seat of the earl of Southampton's, where the countess dowager resided, a woman of honour, to whom the king knew he might safely intrust his person. Before he arrived at this place, he had gone to the sea-coast; and expressed great anxiety, that a ship which he seemed to look for, had not arrived; and thence, Berkeley and Leg, who were not in the secret, conjectured, that his intention was to transport himself beyond sea.

THE KING FLIES TO THE ISLE OF WIGHT.

THE king could not hope to remain long concealed at Titchfield: what measure should next be embraced was the question. In the neighbourhood lay the Isle of Wight, of which Hammond was governor. This man was entirely dependant on Cromwel. At his recommendation he had married a daughter of the famous Hampden, who, during his lifetime, had been an intimate friend of Cromwel's, and whose memory was ever respected by him. These circumstances were very unfavourable: yet, because the governor was nephew to Dr. Hammond, the king's favourite chaplain, and had acquired a good character in the army, it was thought proper to have recourse to him, in the present exigence, when no other rational expedient could be thought of. Ashburnham and Berkeley were dispatched to the island. They had orders not to inform Hammond of the place where the king was concealed, till they had first obtained a promise from him not to deliver up his majesty, though the parliament and army should require him; but to restore him to his liberty, if he could not protect him. This promise, it is evident, would have been a very slender security: yet even without exacting it, Ashburnham, imprudently, if not treacherously, brought Hammond to Titchfield; and the king was obliged to put himself in his hands, and to attend him to Carisbroke castle in the Isle of Wight, where, though received with great demonstrations of respect and duty, he was in reality a prisoner.

Lord Clarendon⁵⁰ is positive, that the king, when he fled from Hampton-court, had no intention of going to this island; and indeed all the circumstances of that historian's narrative, which we have here followed, strongly favour this opinion. But there remains a letter of Charles's to the earl of Lanerc, secretary of Scotland, in which he plainly intimates, that that measure was voluntarily embraced; and even insinuates, that, if he had thought proper, he might have been in Jersey, or any other place of safety [*See note (N) at the end of this Vol.*] Perhaps, he still confided in the promises of the generals; and flattered himself, that if he were removed from the fury of the agitators, by which his life was immediately threatened, they would execute what they had so often promised in his favour.

Whatever may be the truth in this matter; for it is impossible fully to ascertain the truth; Charles never took a weaker step, nor one more agreeable to Cromwel and all his enemies. He was now lodged in a place, removed from his partisans, at the disposal of the army, whence it would be very difficult to deliver him, either by force or artifice. And though it was always in the power of Cromwel, whenever he pleased,

to have sent him thither; yet such a measure, without the king's consent, would have been very invidious, if not attended with some danger. That the king should voluntarily throw himself into the snare, and thereby gratify his implacable persecutors, was to them an incident peculiarly fortunate, and proved in the issue very fatal to him.

Cromwel being now entirely master of the parliament, and free from all anxiety with regard to the custody of the king's person, applied himself seriously to quell those disorders in the army, which he himself had so artfully raised, and so successfully employed against both king and parliament. In order to engage the troops into a rebellion against their masters, he had encouraged an arrogant spirit among the inferior officers and private men; and the camp, in many respects, carried more the appearance of civil liberty than of military obedience. The troops themselves were formed into a kind of republic; and the plans of imaginary republics, for the settlement of the state, were every day the topics of conversation among these armed legislators. Royalty it was agreed to abolish: nobility must be set aside: even all ranks of men be levelled; and an universal equality of property, as well as of power, be introduced among the citizens. The saints, they said, were the salt of the earth: an entire parity had place among the elect. and, by the same rule, that the apostles were exalted from the most ignoble professions, the meanest sentinel, if enlightened by the Spirit, was entitled to equal regard with the greatest commander. In order to wean the soldiers from these licentious maxims, Cromwel had issued orders for discontinuing the meetings of the agitators; and he pretended to pay entire obedience to the parliament, whom, being now fully reduced to subjection, he purposed to make, for the future, the instruments of his authority. But the *Levellers*, for so that party in the army was called, having experienced the sweets of dominion, would not so easily be deprived of it. They secretly continued their meetings: they asserted, that their officers, as much as any part of the church or state, needed reformation: several regiments joined in seditious remonstrances and petitions.⁵¹ Separate rendezvous were concerted; and every thing tended to anarchy and confusion. But this distemper was soon cured by the rough, but dexterous hand of Cromwel. He chose the opportunity of a review, that he might display the greater boldness and spread the terror the wider. He seized the ringleaders before their companions: held in the field a council of war: shot one mutineer instantly: and struck such dread into the rest, that they presently threw down the symbols of sedition, which they had displayed, and thenceforth returned to their wonted discipline and obedience.⁵²

Cromwel had great deference for the counsels of Ireton; a man who, having grafted the soldier on the lawyer, the statesman on the saint, had adopted such principles as were fitted to introduce the severest tyranny, while they seemed to encourage the most unbounded license in human society. Fierce in his nature, though probably sincere in his intentions, he purposed by arbitrary power to establish liberty, and, in prosecution of his imagined religious purposes, he thought himself dispensed from all the ordinary rules of morality by which inferior mortals must allow themselves to be governed. From his suggestion, Cromwel secretly called at Windsor a council of the chief officers, in order to deliberate concerning the settlement of the nation, and the future disposal of the king's person.⁵³ In this conference, which commenced with devout prayers, poured forth by Cromwel himself, and other inspired persons (for the officers of this army received inspiration with their commission), was first opened the daring and unheard of counsel, of bringing the king to justice, and of punishing, by a judicial sentence, their sovereign, for his pretended tyranny and mal-administration. While Charles lived, even though restrained to the closest prison, conspiracies, they knew, and insurrections would never be wanting in favour of a prince, who was so extremely revered and beloved by his own party, and whom the nation in general began to regard with great affection and compassion. To murder him privately was exposed to the imputation of injustice and cruelty, aggravated by the baseness of such a crime; and every odious epithet of *traitor* and *assassin* would, by the general voice of mankind, be undisputably ascribed to the actors in such a villany. Some unexpected procedure must be attempted, which would astonish the world by its novelty, would bear the semblance of justice, and would cover its barbarity by the audaciousness of the enterprise. Striking in with the fanatical notions of the entire equality of mankind, it would ensure the devoted obedience of the army, and serve as a general engagement against the royal family, whom, by their open and united deed, they would so heinously affront and injure.⁵⁴

This measure, therefore, being secretly resolved on, it was requisite, by degrees, to make the parliament adopt it, and to conduct them from violence to violence, till this last act of atrocious iniquity should seem in a manner wholly inevitable. The king, in order to remove those fears and jealousies, which were perpetually pleaded as reasons for every invasion of the constitution, had offered, by a message sent from Carisbrooke-castle, to resign, during his own life, the power of the militia and the nomination to all the great offices; provided that, after his demise, these prerogatives should revert to the crown.⁵⁵ But the parliament

acted entirely as victors and enemies; and, in all their transactions with him, payed no longer any regard to equity or reason. At the instigation of the independents and army, they neglected this offer, and framed four proposals, which they sent him as preliminaries; and, before they would deign to treat, they demanded his positive assent to all of them. By one he was required to invest the parliament with the military power for twenty years, together with an authority to levy whatever money should be necessary for exercising it: and even after the twenty years should be elapsed, they reserved a right of resuming the same authority, whenever they should declare the safety of the kingdom to require it. By the second, he was to recal all his proclamations and declarations against the parliament, and acknowledge that assembly to have taken arms in their just and necessary defence. By the third, he was to annul all the acts, and void all the patents of peerage, which had passed the great seal, since it had been carried from London by lord keeper Littleton; and at the same time, renounce for the future the power of making peers without consent of parliament. By the fourth, he gave the two houses power to adjourn as they thought proper: a demand seemingly of no great importance; but contrived by the independents, that they might be able to remove the parliament to places where it should remain in perpetual subjection to the army.⁵⁶

1648. The king regarded the pretension as unusual and exorbitant, that he should make such concessions, while not secure of any settlement; and should blindly trust his enemies for the conditions which they were afterwards to grant him. He required, therefore, a personal treaty with the parliament, and desired, that all the terms on both sides should be adjusted, before any concession, on either side, should be insisted on. The republican party in the house pretended to take fire at this answer; and openly inveighed, in violent terms, against the person and government of the king; whose name, hitherto, had commonly, in all debates, been mentioned with some degree of reverence. Ireton, seeming to speak the sense of the army, under the appellation of many thousand godly men, who had ventured their lives in defence of the parliament, said, that the king, by denying the four bills, had refused safety and protection to his people; that their obedience to him was but a reciprocal duty for his protection of them; and that, as he had failed on his part, they were freed from all obligations to allegiance, and must settle the nation without consulting any longer so misguided a prince.⁵⁷ Cromwel, after giving an ample character of the valour, good affections, and godliness of the army, subjoined, that it was expected the parliament should guide and defend the kingdom by their own power and resolutions, and not accustom

the people any longer to expect safety and government from an obstinate man, whose heart God had hardened; that those who at the expense of their blood had hitherto defended the parliament from so many dangers, would still continue, with fidelity and courage, to protect them against all opposition in this vigorous measure. "Teach them not," added he, "by your neglecting your own safety and that of the kingdom (in which theirs too is involved), to imagine themselves betrayed, and their interests abandoned to the rage and malice of an irreconcilable enemy, whom, for your sake, they have dared to provoke. Beware (*and at these words he laid his hand on his sword*), beware, lest despair cause them to seek safety by some other means than by adhering to you, who know not how to consult your own safety."⁵⁸ Such arguments prevailed, though ninety-one members had still the courage to oppose. It was voted (15th Jan.) that no more addresses be made to the king, nor any letters or messages be received from him; and that it be treason for any one, without leave of the two houses, to have any intercourse with him. The lords concurred in the same ordinance.⁵⁹

By this vote of non-address, so it was called, the king was in reality dethroned, and the whole constitution formally overthrown. So violent a measure was supported by a declaration of the commons no less violent. The blackest calumnies were there thrown upon the king; such as, even in their famous remonstrance, they thought proper to omit, as incredible and extravagant: the poisoning of his father, the betraying of Rochelle, the contriving of the Irish massacre.⁶⁰ By blasting his fame, had that injury been in their power, they formed a very proper prelude to the executing of violence on his person.

No sooner had the king refused his assent to the four bills, than Hammond, by orders from the army, removed all his servants, cut off his correspondence with his friends, and shut him up in close confinement. The king afterwards showed to sir Philip Warwick a decrepid old man, who, he said, was employed to kindle his fire, and was the best company he enjoyed, during several months that this rigorous confinement lasted.⁶¹ No amusement was allowed him, nor society, which might relieve his anxious thoughts: to be speedily poisoned or assassinated was the only prospect which he had every moment before his eyes: for he entertained no apprehension of a judicial sentence and execution; an event of which no history hitherto furnished an example. Meanwhile, the parliament was very industrious in publishing, from time to time, the intelligence which they received from Hammond; how cheerful the king was, how pleased with every one that approached him, how satisfied in his present condition:⁶² as if the view of such

benignity and constancy had not been more proper to inflame, than allay, the general compassion of the people. The great source whence the king derived consolation amidst all his calamities, was undoubtedly religion; a principle which in him seems to have contained nothing fierce or gloomy, nothing which enraged him against his adversaries, or terrified him with the dismal prospect of futurity. While every thing around him bore a hostile aspect; while friends, family, relations, whom he passionately loved, were placed at a distance, and unable to serve him; he reposed himself with confidence in the arms of that Being who penetrates and sustains all nature, and whose severities, if received with piety and resignation, he regarded as the surest pledges of unexhausted favour.

SECOND CIVIL WAR.

THE parliament and army, meanwhile, enjoyed not in tranquillity that power which they had obtained with so much violence and injustice. Combinations and conspiracies, they were sensible, were every where forming around them; and Scotland, whence the king's cause had received the first fatal disaster, seemed now to promise its support and assistance.

Before the surrender of the king's person at Newcastle, and much more since that event, the subjects of discontent had been daily multiplying between the two kingdoms. The independents, who began to prevail, took all occasions of mortifying the Scots, whom the presbyterians looked on with the greatest affection and veneration. When the Scottish commissioners, who, joined to a committee of English lords and commons, had managed the war, were ready to depart, it was proposed in parliament to give them thanks for their civilities and good offices. The independents insisted, that the words *Good offices* should be struck out; and thus the whole brotherly friendship and intimate alliance with the Scots resolved itself into an acknowledgment of their being well-bred gentlemen.

The advance of the army to London, the subjection of the parliament, the seizing of the king at Holdenby, his confinement in Carisbroke castle, were so many blows sensibly felt by that nation, as threatening the final overthrow of presbytery, to which they were so passionately devoted. The covenant was profanely called, in the house of commons, an almanac out of date;⁶³ and that impiety, though complained of, had passed uncensured. Instead of being able to determine and establish orthodoxy by the sword and by penal statutes, they saw the sectarian army, who were absolute masters, claim an unbounded liberty of conscience, which the presbyterians regarded with the utmost abhorrence. All the

violences put on the king they loudly blamed, as repugnant to the covenant, by which they stood engaged to defend his royal person. And those very actions of which they themselves had been guilty, they denominated treason and rebellion, when executed by an opposite party.

The earls of Loudon, Lauderdale, and Lanerie, who were sent to London, protested against the four bills; as containing too great a diminution of the king's civil power, and providing no security for religion. They complained, that notwithstanding this protestation, the bills were still insisted on; contrary to the solemn league, and to the treaty between the two nations. And when they accompanied the English commissioners to the Isle of Wight, they secretly formed a treaty with the king, for annexing Scotland in his favour.⁶⁴

INVASION FROM SCOTLAND.

THREE parties at that time prevailed in Scotland: the *royalists*, who insisted upon the restoration of the king's authority, without any regard to religious sects or tenets: of these Montrose, though absent, was regarded as the head. The *rigid presbyterians*, who hated the king even more than they abhorred toleration; and who determined to give him no assistance, till he should subscribe the covenant: these were governed by Argyle. The *moderate presbyterians*, who endeavoured to reconcile the interests of religion and of the crown, and hoped, by supporting the presbyterian party in England, to suppress the sectarian army, and to reinstate the parliament, as well as the king, in their just freedom and authority: the two brothers, Hamilton and Lanerie, were leaders of this party.

When Pendennis castle was surrendered to the parliamentary army, Hamilton, who then obtained his liberty, returned into Scotland; and being generously determined to remember ancient favours, more than recent injuries, he immediately embraced, with zeal and success, the protection of the royal cause. He obtained a vote from the Scottish parliament to arm 20,000 men in support of the king's authority, and to call over a considerable body under Monro, who commanded the Scottish forces in Ulster. And though he openly protested, that the covenant was the foundation of all his measures, he secretly entered into correspondence with the English royalists, sir Marmaduke Langdale and sir Philip Musgrave, who had levied considerable forces in the north of England.

The general assembly, who sat at the same time, and was guided by Argyle, dreaded the consequence of these measures, and foresaw that the opposite party, if successful, would effect the restoration of monarchy,

without the establishment of presbytery, in England. To join the king before he had subscribed the covenant was, in their eyes, to restore him to his honour before Christ had obtained his;⁶⁵ and they thundered out anathemas against every one who paid obedience to the parliament. Two supreme independent judicatures were erected in the kingdom; one threatening the people with damnation and eternal torments, the other with imprisonment, banishment, and military execution. The people were distracted in their choice; and the armament of Hamilton's party, though seconded by all the civil power, went on slowly. The royalists he would not as yet allow to join them, lest he might give offence to the ecclesiastical party; though he secretly promised them trust and preferment as soon as his army should advance into England.

While the Scots were making preparations for the invasion of England, every part of that kingdom was agitated with tumults, insurrections, conspiracies, discontents. It is seldom that the people gain any thing by revolutions in government; because the new settlement, jealous and insecure, must commonly be supported with more expence and severity than the old: but on no occasion was the truth of this maxim more sensibly felt, than in the present situation of England. Complaints against the oppression of ship-money, against the tyranny of the star-chamber, had roused the people to arms: and having gained a complete victory over the crown, they found themselves loaded with a multiplicity of taxes, formerly unknown; and scarcely an appearance of law and liberty remained in the administration. The presbyterians, who had chiefly supported the war, were enraged to find the prize, just when it seemed within their reach, snatched by violence from them. The royalists, disappointed in their expectations, by the cruel treatment which the king now received from the army, were strongly animated to restore him to liberty, and to recover the advantages which they had unfortunately lost. All orders of men were inflamed with indignation at seeing the military prevail over the civil power, and king and parliament at once reduced to subjection by a mercenary army. Many persons of family and distinction had, from the beginning of the war, adhered to the parliament: but all these were, by the new party, deprived of authority; and every office was intrusted to the most ignoble part of the nation. A base populace exalted above their superiors: hypocrites exercising iniquity under the vizard of religion: these circumstances promised not much liberty or lenity to the people; and these were now found united in the same usurped and illegal administration.

Though the whole nation seemed to combine in their hatred of military tyranny, the end

which the several parties pursued were so different, that little concert was observed in their insurrections. Langhorne, Poyer, and Powel, presbyterian officers, who commanded bodies of troops in Wales, were the first that declared themselves; and they drew together a considerable army in those parts, which were extremely devoted to the royal cause. An insurrection was raised in Kent by young Hales and the earl of Norwich. Lord Capel, sir Charles Lucas, sir George Lisle, excited commotions in Essex. The earl of Holland, who had several times changed sides since the commencement of the civil wars, endeavoured to assemble forces in Surrey. Pomfret castle in Yorkshire was surprised by Maurice. Langdale and Musgrave were in arms, and masters of Berwic and Carlisle in the north.

What seemed the most dangerous circumstance, the general spirit of discontent had seized the fleet. Seventeen ships, lying in the mouth of the river, declared for the king; and putting Rainshorow, their admiral, ashore, sailed over to Holland, where the prince of Wales took the command of them.⁶⁶

The English royalists exclaimed loudly against Hamilton's delays, which they attributed to a refined policy in the Scots; as if their intentions were, that all the king's party should be first suppressed, and the victory remain solely to the presbyterians. Hamilton, with better reason, complained of the precipitate humour of the English royalists, who, by their ill-timed insurrections, forced him to march his army before his levies were completed, or his preparations in any forwardness.

No commotions beyond a tumult of the apprentices, which was soon suppressed, were raised in London: the terror of the army kept the citizens in subjection. The parliament was so overawed, that they declared the Scots to be enemies, and all who joined them traitors. Ninety members, however, of the lower house had the courage to dissent from this vote.

Cromwel, and the military council prepared themselves with vigour and conduct for defence. The establishment of the army was at this time 26,000 men; but by enlisting supernumeraries, the regiments were greatly augmented, and commonly consisted of more than double their stated complement.⁶⁷ Colonel Horton first attacked the revolted troops in Wales, and gave them a considerable defeat. The remnants of the vanquished threw themselves into Pembroke, and were there closely besieged, and soon after taken, by Cromwel. Lambert was opposed to Langdale and Musgrave in the north, and gained advantages over them. Sir Michael Livesey defeated the earl of Holland at Kingston, and pursuing his victory, took him prisoner at St. Neots. Fairfax, having routed the Kentish royalists at

Maidstone, followed the broken army: and when they joined the royalists of Essex, and threw themselves into Colchester, he laid siege to that place, which defended itself to the last extremity. A new fleet was manned, and sent out under the command of Warwic, to oppose the revolted ships, of which the prince had taken the command.

While the forces were employed in all quarters, the parliament regained its liberty, and began to act with its wonted courage and spirit. The members, who had withdrawn, from terror of the army, returned; and infusing boldness into their companions, restored to the presbyterian party the ascendant which it had formerly lost. The eleven impeached members were recalled, and the vote, by which they were expelled, was reversed. The vote too of non-addresses was repealed; and commissioners, five peers and ten commoners, were sent to Newport, in the Isle of Wight, in order to treat with the king.⁶⁸ He was allowed to summon several of his friends and old counsellors, that he might have their advice in this important transaction.⁶⁹ The theologians, on both sides, armed with their syllogisms and quotations, attended as auxiliaries.⁷⁰ By them the flame had first been raised; and their appearance was but a bad prognostic of its extinction. Any other instruments seemed better adapted for a treaty of pacification.

TREATY OF NEWPORT. Sept. 18.

WHEN the king presented himself to this company, a great and sensible alteration was remarked in his aspect, from what it appeared the year before, when he resided at Hampton-court. The moment his servants had been removed, he had laid aside all care of his person, and had allowed his beard and hair to grow, and to hang dishevelled and neglected. His hair was become almost entirely grey; either from the decline of years, or from that load of sorrows, under which he laboured, and which, though borne with constancy, preyed inwardly on his sensible and tender mind. His friends beheld with compassion, and perhaps even his enemies, that *grey and dis-crown'd head*, as he himself terms it, in a copy of verses, which the truth of the sentiment, rather than any elegance of expression, renders very pathetic.⁷¹ Having in vain endeavour'd by courage to defend his throne from his armed adversaries, it now behoved him, by reasoning and persuasion, to save some fragments of it from these peaceful, and no less implacable negotiators.

The vigour of the king's mind, notwithstanding the seeming decline of his body, here appeared unbroken and undecayed. The parliamentary commissioners would allow none of his counsel to be present, and refused to enter

into reasoning with any but himself. He alone, during the transactions of two months, was obliged to maintain the argument against fifteen men of the greatest parts and capacity in both houses; and no advantage was ever obtained over him.⁷² This was the scene, above all others, in which he was qualified to excel. A quick conception, a cultivated understanding, a chaste elocution, a dignified manner; by these accomplishments he triumphed in all discussions of cool and temperate reasoning. *The king is much changed*, said the earl of Salisbury to sir Philip Warwick: *he is extremely improved of late*. No, replied sir Philip; *he was always so: but you are now at last sensible of it*.⁷³ Sir Henry Vaue, discoursing with his fellow-commissioners, drew an argument from the king's uncommon abilities, why the terms of pacification must be rendered more strict and rigid.⁷⁴ But Charles's capacity shone not equally in action as in reasoning.

The first point, insisted on by the parliamentary commissioners, was the king's recalling all his proclamations and declarations against the parliament, and the acknowledging that they had taken arms in their own defence. He frankly offered the former concession; but long scrupled the latter. The falsehood, as well as indignity, of that acknowledgment, begat in his breast an extreme reluctance against it. The king had, no doubt, in some particulars of moment, invaded, from a seeming necessity, the privileges of his people: but having renounced all claim to these usurped powers, having confessed his errors, and having repaired every breach in the constitution, and even erected new ramparts, in order to secure it; he could no longer, at the commencement of the war, be represented as the aggressor. However it might be pretended, that the former display of his arbitrary inclinations, or rather his monarchical principles, rendered an offensive or preventive war in the parliament prudent and reasonable; it could never, in any propriety of speech, make it be termed a defensive one. But the parliament, sensible that the letter of the law condemned them as rebels and traitors, deemed this point absolutely necessary for their future security: and the king, finding that peace could be obtained on no other terms, at last yielded to it. He only entered a protest, which was admitted; that no concession made by him should be valid, unless the whole treaty of pacification were concluded.⁷⁵

He agreed that the parliament should retain, during the term of twenty years, the power over the militia and army, and that of levying what money they pleased for their support. He even yielded to them the right of resuming, at any time afterwards, this authority, whenever they should declare such a resumption

necessary for public safety. In effect, the important power of the sword was for ever ravished from him and his successors.⁷⁶

He agreed, that all the great offices, during twenty years, should be filled by both houses of parliament.⁷⁷ He relinquished to them the entire government of Ireland, and the conduct of the war there.⁷⁸ He renounced the power of the wards, and accepted of 100,000 pounds a year, in lieu of it.⁷⁹ He acknowledged the validity of their great seal, and gave up his own.⁸⁰ He abandoned the power of creating peers without consent of parliament. And he agreed, that all the debts contracted in order to support the war against him, should be paid by the people.

So great were the alterations made on the English constitution by this treaty, that the king said, not without reason, that he had been more an enemy to his people by these concessions, could he have prevented them, than by any other action of his life.

Of all the demands of the parliament, Charles refused only two. Though he relinquished almost every power of the crown, he would neither give up his friends to punishment, nor desert what he esteemed his religious duty. The severe repentance, which he had undergone, for abandoning Strafford, had, no doubt, confirmed him in the resolution never again to be guilty of a like error. His long solitude and severe afflictions had contributed to rivet him the more in those religious principles, which had ever a considerable influence over him. His desire, however, of finishing an accommodation induced him to go as far in both these particulars, as he thought any wise consistent with his duty.

The estates of the royalists being, at that time, almost entirely under sequestration, Charles, who could give them no protection, consented that they should pay such compositions as they and the parliament could agree on; and only begged that they might be made as moderate as possible. He had not the disposal of offices; and it seemed but a small sacrifice to consent, that a certain number of his friends should be rendered incapable of public employments.⁸¹ But when the parliament demanded a bill of attainder and banishment against seven persons, the marquis of Newcastle, lord Digby, lord Biron, sir Marmaduke Langdale, sir Richard Granville, sir Francis Doddington, and judge Jenkins, the king absolutely refused compliance: their banishment for a limited time he was willing to agree to.⁸²

Religion was the fatal point about which the differences had arisen; and of all others, it was the least susceptible of composition or moderation between the contending parties. The parliament insisted on the establishment of presbytery, the sale of the chapter lands, the

abolition of all forms of prayer, and strict laws against catholics. The king offered to retrench every thing which he did not esteem of apostolical institution: he was willing to abolish archbishops, deans, prebends, canons: he offered that the chapter lands should be let at low leases during ninety-nine years: he consented, that the present church government should continue during three years.⁸³ After that time, he required not that any thing should be restored to bishops but the power of ordination, and even that power to be exercised by advice of the presbyters.⁸⁴ If the parliament, upon the expiration of that period, still insisted on their demand, all other branches of episcopal jurisdiction were abolished, and a new form of church government must, by common consent, be established. The book of common prayer he was willing to renounce, but required the liberty of using some other liturgy in his own chapel.⁸⁵ A demand which, though seemingly reasonable, was positively refused by the parliament.

In the dispute on these articles, one is not surprised, that two of the parliamentary theologians should tell the king, *That if he did not consent to the utter abolition of episcopacy, he would be damned.* But it is not without some indignation that we read the following vote of the lords and commons: "The houses, out of their detestation to that abominable idolatry used in the mass, do declare, that they cannot admit of, or consent unto, any such indulgence in any law, as is desired by his majesty, for exempting the queen and her family from the penalties to be enacted against the exercise of the mass."⁸⁶ The treaty of marriage, the regard to the queen's sex and high station, even common humanity; all considerations were undervalued, in comparison of their bigoted prejudices. [See note (O) at the end of this Vol.]

It was evidently the interest, both of king and parliament, to finish their treaty with all expedition; and endeavour, by their combined force, to resist, if possible, the usurping fury of the army. It seemed even the interest of the parliament, to leave in the king's hand a considerable share of authority, by which he might be enabled to protect them and himself from so dangerous an enemy. But the terms on which they insisted were so rigorous, that the king fearing no worse from the most implacable enemies, was in no haste to come to a conclusion. And so great was the bigotry on both sides, that they were willing to sacrifice the greatest civil interests, rather than relinquish the most minute of their theological contentions. From these causes, assisted by the artifice of the independents, the treaty was spun out to such a length, that the invasions and insurrections were every where subdued; and the army had leisure to execute their violent and sanguinary purposes.

CIVIL WAR AND INVASION REPRESSED.

HAMILTON, having entered England with a numerous, although undisciplined, army, durst not unite his forces with those of Langdale; because the English royalists had refused to take the covenant; and the Scottish presbyterians, though engaged for the king, refused to join them on any other terms. The two armies marched together, though at some distance; nor could even the approach of the parliamentary army, under Cromwel, oblige the covenanters to consult their own safety, by a close union with the royalists. When principles are so absurd and so destructive of human society, it may safely be averred, that the more sincere and the more disinterested they are, they only become the more ridiculous and more odious.

Cromwel feared not to oppose 8000 men, to the numerous armies of 20,000, commanded by Hamilton and Langdale. He attacked the latter by surprise, near Preston in Lancashire;⁸⁷ and, though the royalists made a brave resistance, yet not being succoured in time by their confederates, they were almost entirely cut in pieces. Hamilton was next attacked, put to rout, and pursued to Utoxeter, where he surrendered himself prisoner. Cromwel followed his advantage; and marching into Scotland with a considerable body, joined Argyle, who was also in arms; and having suppressed Lanerie, Monro, and other moderate presbyterians, he placed the power entirely in the hands of the violent party. The ecclesiastical authority, exalted above the civil, exercised the severest vengeance on all who had a share in Hamilton's engagement, as it was called; nor could any of that party recover trust, or even live in safety, but by doing solemn and public penance for taking arms, by authority of parliament, in defence of their lawful sovereign.

The chancellor Loudon, who had, at first, countenanced Hamilton's enterprise, being terrified with the menaces of the clergy, had, some time before, gone over to the other party; and he now openly in the church, though invested with the highest civil character in the kingdom, did penance for his obedience to the parliament, which he termed a *carnal self-seeking*. He accompanied his penance with so many tears, and such pathetic addresses to the people for their prayers in this his uttermost sorrow and distress, that an universal weeping and lamentation took place among the deluded audience.⁸⁸

The loan of great sums of money, often to the ruin of families, was exacted from all such as lay under any suspicion of favouring the king's party, though their conduct had been ever so inoffensive. This was a device, fallen upon by the ruling party, in order, as they said,

to reach *Heart Malignants*.⁸⁹ Never, in this island, was known a more severe and arbitrary government, than was generally exercised by the patrons of liberty in both kingdoms.

The siege of Colchester terminated in a manner no less unfortunate than Hamilton's engagement, for the royal cause. After suffering the utmost extremities of famine, after feeding on the vilest aliments; the garrison desired, at last, to capitulate. Fairfax required them to surrender at discretion; and he gave such an explanation to these terms, as to reserve to himself power, if he pleased, to put them all instantly to the sword. The officers endeavoured, though in vain, to persuade the soldiers; by making a vigorous sally, to break through, at least to sell their lives as dear as possible. They were obliged⁹⁰ to accept of the conditions offered; and Fairfax, instigated by Ireton, to whom Cromwel, in his absence, had consigned over the government of the passive general, seized sir Charles Lucas and sir George Lisle, and resolved to make them instant sacrifices to military justice. This unusual severity was loudly exclaimed against by all the prisoners. Lord Capel, fearless of danger, reproached Ireton with it; and challenged him, as they were all engaged in the same honourable cause, to exercise the same impartial vengeance on all of them. Lucas was first shot, and he himself gave orders to fire, with the same alacrity as if he had commanded a platoon of his own soldiers. Lisle instantly ran and kissed the dead body, then cheerfully presented himself to a like fate. Thinking that the soldiers, destined for his execution, stood at too great a distance, he called to them to come nearer: one of them replied, *I'll warrant you, sir, we'll hit you*: he answered, smiling, *Friends, I have been nearer you when you have missed me*. Thus perished this generous spirit, not less beloved for his modesty and humanity, than esteemed for his courage and military conduct.

Soon after, a gentleman appearing in the king's presence, clothed in mourning for sir Charles Lucas; that humane prince, suddenly recollecting the hard fate of his friends, paid them a tribute, which none of his own unparalleled misfortunes ever extorted from him: he dissolved into a flood of tears.⁹¹

THE KING SEIZED AGAIN BY THE ARMY.

By these multiplied successes of the army, they had subdued all their enemies; and none remained but the helpless king and parliament, to oppose their violent measures. From Cromwel's suggestion, a remonstrance was drawn by the council of general officers, and sent to the parliament. They there complain of the treaty with the king; demand his punishment

for the blood spilt during the war; require a dissolution of the present parliament, and a more equal representation for the future; and assert, that, though servants, they are entitled to represent these important points to their masters, who are themselves no better than servants and trustees of the people. At the same time, they advanced with the army to Windsor, and sent colonel Eure to seize the king's person at Newport, and convey him to Hurst castle in the neighbourhood, where he was detained in strict confinement.

This measure being foreseen some time before, the king was exhorted to make his escape, which was conceived to be very easy: but having given his word to the parliament not to attempt the recovery of his liberty during the treaty, and three weeks after, he would not, by any persuasion, be induced to hazard the reproach of violating that promise. In vain was it urged, that a promise given to the parliament could no longer be binding; since they could no longer afford him protection from violence, threatened him by other persons, to whom he was bound by no tie or engagement. The king would indulge no refinements of casuistry, however plausible, in such delicate subjects; and was resolved, that what depredations soever Fortune should commit upon him, she never should bereave him of his honour.⁹²

The parliament lost not courage, notwithstanding the danger with which they were so nearly menaced. Though without any plan for resisting military usurpations, they resolved to withstand them to the uttermost; and rather to bring on a violent and visible subversion of government, than lend their authority to those illegal and sanguinary measures which were projected. They set aside the remonstrance of the army, without deigning to answer it; they voted the seizing of the king's person to be without their consent, and sent a message to the general, to know by what authority that enterprise had been executed; and they issued orders, that the army should advance no nearer to London.

Hollis, the present leader of the presbyterians, was a man of unconquerable intrepidity; and many others of that party seconded his magnanimous spirit. It was proposed by them, that the generals and principal officers should, for their disobedience and usurpations, be proclaimed traitors by the parliament.

But the parliament was dealing with men who would not be frightened by words, nor retarded by any scrupulous delicacy. The generals, under the name of Fairfax (for he still allowed them to employ his name), marched the army to London, and placing guards in Whitehall, the Meuse, St. James's, Durham-house, Covent-garden, and Palace-yard, surrounded the parliament with their hostile armaments.

THE HOUSE PURGED. *Dec. 6.*

THE parliament, destitute of all hopes of prevailing, retained, however, courage to resist. They attempted, in the face of the army, to close their treaty with the king; and, though they had formerly voted his concessions with regard to the church and delinquents to be unsatisfactory, they now took into consideration the final resolution with regard to the whole. After a violent debate of three days, it was carried, by a majority of 129 against 83, in the house of commons, that the king's concessions were a foundation for the houses to proceed upon in the settlement of the kingdom.

Next day, when the commons were to meet, colonel Pride, formerly a drayman, had environed the house with two regiments; and, directed by lord Grey of Groby, he seized in the passage forty-one members of the presbyterian party, and sent them to a low room, which passed by the appellation of *hell*: whence they were afterwards carried to several inns. Above 160 members more were excluded; and none were allowed to enter but the most furious and the most determined of the independents; and these exceeded not the number of fifty or sixty. This invasion of the parliament commonly passed under the name of *colonel Pride's purge*: so much disposed was the nation to make merry with the dethroning of those members, who had violently arrogated the whole authority of government, and deprived the king of his legal prerogatives.

The subsequent proceedings of the parliament, if this diminutive assembly deserve that honourable name, retain not the least appearance of law, equity, or freedom. They instantly reversed the former vote, and declared the king's concessions unsatisfactory. They determined, that no member, absent at this last vote, should be received, till he subscribed it as agreeable to his judgment. They renewed their former vote of non-addresses. And they committed to prison sir William Waller, sir John Clotworthy, the generals Massey, Brown, Copley, and other leaders of the presbyterians. These men, by their credit and authority, which was then very high, had, at the commencement of the war supported the parliament; and thereby prepared the way for the greatness of the present leaders, who, at that time, were of small account in the nation.

The secluded members having published a paper, containing a narrative of the violence which had been exercised upon them, and a protestation, that all acts were void, which from that time had been transacted in the house of commons; the remaining members encountered it with a declaration in which they pronounced it false, scandalous, seditious, and tending to the destruction of the visible and fundamental government of the kingdom.

These sudden and violent revolutions held the whole nation in terror and astonishment. Every man dreaded to be trampled under foot, in the contention between those mighty powers which disputed for the sovereignty of the state. Many began to withdraw their effects beyond sea: foreigners scrupled to give any credit to a people, so torn by domestic faction, and oppressed by military usurpation: even the internal commerce of the kingdom began to stagnate. And in order to remedy these growing evils, the generals, in the name of the army, published a declaration, in which they expressed their resolution of supporting law and justice.⁹³

The more to quiet the minds of men, the council of officers took into consideration, a scheme called *The agreement of the people*, being the plan of a republic, to be substituted in the place of that government which they had so violently pulled in pieces. Many parts of this scheme, for correcting the inequalities of the representative, are plausible; had the nation been disposed to receive it, or had the army intended to impose it. Other parts are too perfect for human nature, and savour strongly of that fanatical spirit so prevalent throughout the kingdom.

The height of all iniquity and fanatical extravagance yet remained; the public trial and execution of their sovereign. To this period was every measure precipitated by the zealous independents. The parliamentary leaders of that party had intended, that the army, themselves, should execute that daring enterprise; and they deemed so irregular and lawless a deed best fitted to such irregular and lawless instruments.⁹⁴ But the generals were too wise to load themselves singly with the infamy which, they knew, must attend an action so shocking to the general sentiments of mankind. The parliament, they were resolved, should share with them the reproach of a measure which was thought requisite for the advancement of their common ends of safety and ambition. In the house of commons, therefore, a committee was appointed to bring in a charge against the king. On their report a vote passed, declaring it treason in a king to levy war against his parliament, and appointing a HIGH COURT OF JUSTICE to try Charles for this new-invented treason. This vote was sent up to the house of peers.

The house of peers, during the civil wars, had, all along, been of small account; but it had lately, since the king's fall, become totally contemptible; and very few members would submit to the mortification of attending it. It happened, that day, to be fuller than usual, and they were assembled, to the number of sixteen. Without one dissenting voice, and almost without deliberation, they instantly rejected the vote of the lower house, and

adjourned themselves for ten days; hoping that this delay would be able to retard the furious career of the commons.

The commons were not to be stopped by so small an obstacle. Having first established a principle, which is noble in itself, and seems specious, but is belied by all history and experience, *That the people are the origin of all just power*; they next declared, that the commons of England, assembled in parliament, being chosen by the people, and representing them, are the supreme authority of the nation, and that whatever is enacted and declared to be law by the commons, hath the force of law, without the consent of king or house of peers. The ordinance for the trial of Charles Stuart, king of England, so they called him, was again read, and unanimously assented to. (4th Jan.)

In proportion to the enormity of the violences and usurpations, were augmented the pretences of sanctity, among those regicides. "Should any one have voluntarily proposed," said Cromwel in the house, "to bring the king to punishment, I should have regarded him as the greatest traitor; but, since providence and necessity have cast us upon it, I will pray to God for a blessing on your counsels; though I am not prepared to give you any advice on this important occasion. Even I myself," subjoined he, "when I was lately offering up petitions for his majesty's restoration, felt my tongue cleave to the roof of my mouth, and considered this preternatural movement as the answer which heaven, having rejected the king, had sent to my supplications."

A woman of Hertfordshire, illuminated by prophetic visions, desired admittance into the military council, and communicated to the officers a revelation, which assured them that their measures were consecrated from above, and ratified by a heavenly sanction. This intelligence gave them great comfort, and much confirmed them in their present resolutions.⁹⁵

Colonel Harrison, the son of a butcher, and the most furious enthusiast in the army, was sent with a strong party, to conduct the king to London. At Windsor, Hamilton, who was there detained a prisoner, was admitted into the king's presence; and falling on his knees, passionately exclaimed, *My dear master!—I have indeed been so to you*, replied Charles, embracing him. No farther intercourse was allowed between them. The king was instantly hurried away. Hamilton long followed him with his eyes, all suffused in tears, and prognosticated, that in this short salutation, he had given the last adieu to his sovereign and his friend.

Charles himself was assured, that the period of his life was now approaching; but notwithstanding all the preparations which were making, and the intelligence which he received,

he could not, even yet, believe that his enemies really meant to conclude their violences by a public trial and execution. A private assassination he every moment looked for; and though Harrison assured him, that his apprehensions were entirely groundless, it was by that catastrophe, so frequent with dethroned princes, that he expected to terminate his life. In appearance, as well as in reality, the king was now dethroned. All the exterior symbols of sovereignty were withdrawn, and his attendants had orders to serve him without ceremony. At first he was shocked with instances of rudeness and familiarity, to which he had been so little accustomed. *Nothing so contemptible as a despised prince!* was the reflection which they suggested to him. But he soon reconciled his mind to this, as he had done to his other calamities.

All the circumstances of the trial were now adjusted; and the high court of justice fully constituted. It consisted of 133 persons, as named by the commons; but there scarcely ever sat above 70: so difficult was it, notwithstanding the blindness of prejudice and the allurements of interest, to engage men of any name or character in that criminal measure. Cromwel, Ireton, Harrison, and the chief officers of the army, most of them of mean birth, were members, together with some of the lower house and some citizens of London. The twelve judges were at first appointed in the number; but as they had affirmed, that it was contrary to all the ideas of English law to try the king for treason, by whose authority all accusations for treason must necessarily be conducted; their names, as well as those of some peers, were afterwards struck out. Bradshaw, a lawyer, was chosen president. Coke was appointed solicitor for the people of England. Dorislaus, Steele, and Aske, were named assistants. The court sat in Westminster-hall.

It is remarkable, that, in calling over the court, when the crier pronounced the name of Fairfax, which had been inserted in the number a voice came from one of the spectators, and cried, *He has more wit than to be here*. When the charge was read against the king, *In the name of the people of England*; the same voice exclaimed, *Not a tenth part of them*. Axtel, the officer who guarded the court, giving orders to fire into the box whence these insolent speeches came, it was discovered, that lady Fairfax was there, and that it was she who had had the courage to utter them. She was a person of noble extraction, daughter of Horace lord Vere, of Tilbury; but being seduced by the violence of the times, she had long seconded her husband's zeal against the royal cause, and was now, as well as he, struck with abhorrence at the fatal and unexpected consequence of all his boasted victories.

THE KING'S TRIAL.

THE pomp, the dignity, the ceremony of this transaction corresponded to the greatest conception that is suggested in the annals of human kind; the delegates of a great people sitting in judgment upon their supreme magistrate, and trying him for his misgovernment and breach of trust. The solicitor, in the name of the commons, represented, that Charles Stuart, being admitted king of England, and intrusted with a limited power; yet nevertheless, from a wicked design to erect an unlimited and tyrannical government, had traitorously and maliciously levied war against the present parliament, and the people whom they represented, and was therefore impeached as a tyrant, traitor, murderer, and a public and implacable enemy to the commonwealth. After the charge was finished, the president directed his discourse to the king, and told him, that the court expected his answer.

The king, though long detained a prisoner, and now produced as a criminal, sustained, by his magnanimous courage, the majesty of a monarch. With great temper and dignity he declined the authority of the court, and refused to submit himself to their jurisdiction. He represented, that having been engaged in treaty with his two houses of parliament, and having finished almost every article, he had expected to be brought to his capital in another manner, and ere this time, to have been restored to his power, dignity, revenue, as well as to his personal liberty: that he could not now perceive any appearance of the upper house, so essential a member of the constitution; and had learned, that even the commons, whose authority was pretended, were subdued by lawless force, and were bereaved of their liberty: that he himself was their NATIVE HEREDITARY KING; nor was the whole authority of the state, though free and united, entitled to try him, who derived his dignity from the Supreme Majesty of heaven: that, admitting those extravagant principles which levelled all orders of men, the court could plead no power delegated by the people; unless the consent of every individual, down to the meanest and most ignorant peasant, had been previously asked and obtained: that he acknowledged, without scruple, that he had a trust committed to him, and one most sacred and inviolable; he was intrusted with the liberties of his people, and would not now betray them, by recognizing a power founded on the most atrocious violence and usurpation: that having taken arms, and frequently exposed his life in defence of public liberty, of the constitution, of the fundamental laws of the kingdom, he was willing, in this last and most solemn scene, to seal with his blood those precious rights, for which, though in vain, he

had so long contended: that those who arrogated a title to sit as his judges, were born his subjects, and born subjects to those laws, which determined, *That the king can do no wrong*: that he was not reduced to the necessity of sheltering himself under this general maxim, which guards every English monarch, even the least deserving; but was able, by the most satisfactory reasons, to justify those measures, in which he had been engaged: that to the whole world, and even to them, his pretended judges, he was desirous, if called upon in another manner, to prove the integrity of his conduct, and assert the justice of those defensive arms, to which, unwillingly and unfortunately, he had had recourse: but that, in order to preserve a uniformity of conduct, he must at present forego the apology of his innocence; lest, by ratifying an authority, no better founded than that of robbers and pirates, he be justly branded as the betrayer, instead of being applauded as the martyr, of the constitution.

The president, in order to support the majesty of the people, and maintain the superiority of his court above the prisoner, still inculcated, that he must not decline the authority of his judges; that they over-ruled his objections; that they were delegated by the people, the only source of every lawful power; and that kings themselves acted but in trust from that community, which had invested this high court of justice with its jurisdiction. Even according to those principles, which in his present situation he was perhaps obliged to adopt, his behaviour in general will appear not a little harsh and barbarous; but when we consider him as a subject, and one too of no high character, addressing himself to his unfortunate sovereign, his style will be esteemed, to the last degree, audacious and insolent.

Three times was Charles produced before the court, and as often declined their jurisdiction. On the fourth, the judges having examined some witnesses, by whom it was proved that the king had appeared in arms against the forces commissioned by the parliament; they pronounced sentence against him (27th Jan.) He seemed very anxious, at this time, to be admitted to a conference with the two houses; and it was supposed, that he intended to resign the crown to his son: but the court refused compliance, and considered that request as nothing but a delay of justice.

It is confessed, that the king's behaviour, during this last scene of his life, does honour to his memory; and that, in all appearances before his judges, he never forgot his part, either as a prince or as a man. Firm and intrepid, he maintained, in each reply, the utmost perspicuity and justness both of thought and expression: mild and equable, he rose into no passion at that unusual authority which was

assumed over him. His soul, without effort or affectation, seemed only to remain in the situation familiar to it, and to look down with contempt on all the efforts of human malice and iniquity. The soldiers, instigated by their superiors, were brought, though with difficulty, to cry aloud for justice: *Poor souls!* said the king to one of his attendants; *for a little money they would do as much against their commanders.*⁹⁶ Some of them were permitted to go the utmost length of brutal insolence, and to spit in his face, as he was conducted along the passage to the court. To excite a sentiment of piety was the only effect which this unhuman insult was able to produce upon him.

The people, though under the rod of lawless unlimited power, could not forbear, with the most ardent prayers, pouring forth their wishes for his preservation; and, in his present distress, they avowed *him*, by their generous tears for their monarch, whom, in their misguided fury, they had before so violently rejected. The king was softened at this moving scene, and expressed his gratitude for their dutiful affection. One soldier too, seized by contagious sympathy, demanded from heaven a blessing on oppressed and fallen majesty: his officer overhearing the prayer, beat him to the ground in the king's presence. *The punishment, methinks, exceeds the offence:* this was the reflection which Charles formed on that occasion.⁹⁷

As soon as the intention of trying the king was known in foreign countries, so enormous an action was exclaimed against by the general voice of reason and humanity; and all men, under whatever form of government they were born, rejected this example, as the utmost effort of undisguised usurpation, and the most heinous insult on law and justice. The French ambassador, by orders from his court, interposed in the king's behalf: the Dutch employed their good offices: the Scots exclaimed and protested against the violence: the queen, the prince, wrote pathetic letters to the parliament. All solicitations were found fruitless with men, whose resolutions were fixed and irrevocable.

Four of Charles's friends, persons of virtue and dignity, Richmond, Hertford, Southampton, Lindsey, applied to the commons. They represented that they were the king's counsellors, and had concurred, by their advice, in all those measures which were now imputed as crimes to their royal master: that in the eye of the law, and according to the dictates of common reason, they alone were guilty, and were alone exposed to censure for every blameable action of the prince: and that they now presented themselves, in order to save, by their own punishment, that precious life which it became the commons themselves, and every subject, with the utmost hazard, to protect

and defend.⁹⁸ Such a generous effort tended to their honour; but contributed nothing towards the king's safety.

The people remained in that silence and astonishment which all great passions, when they have not an opportunity of exerting themselves, naturally produce in the human mind. The soldiers being incessantly plied with prayers, sermons, and exhortations, were wrought up to a degree of fury, and imagined, that in the acts of the most extreme disloyalty towards their prince, consisted their greatest merit in the eye of heaven.⁹⁹

Three days were allowed the king between his sentence and his execution. This interval he passed with great tranquillity, chiefly in reading and devotion. All his family that remained in England were allowed access to him. It consisted only of the princess Elizabeth and the duke of Gloucester; for the duke of York had made his escape. Gloucester was little more than an infant: the princess, notwithstanding her tender years, showed an advanced judgment; and the calamities of her family had made a deep impression upon her. After many pious consolations and advices, the king gave her in charge to tell the queen, that, during the whole course of his life, he had never once, even in thought, failed in his fidelity towards her; and that his conjugal tenderness and his life should have an equal duration.

To the young duke too, he could not forbear giving some advice, in order to season his mind with early principles of loyalty and obedience towards his brother, who was so soon to be his sovereign. Holding him on his knee, he said, "Now they will cut off thy father's head." At these words the child looked very steadfastly upon him. "Mark, child! what I say: they will cut off my head! and perhaps make thee a king: but mark what I say, thou must not be a king, as long as thy brothers Charles and James are alive. They will cut off thy brothers' heads when they can catch them! and thy head too they will cut off at last! therefore, I charge thee, do not be made a king by them!" The duke, sighing, replied, "I will be torn in pieces first!" So determined an answer from one of such tender years, filled the king's eyes with tears of joy and admiration.

Every night, during this interval, the king slept sound as usual; though the noise of workmen, employed in framing the scaffold, and other preparations for his execution, continually resounded in his ears.¹⁰⁰ The morning of the fatal day (30th Jan.) he rose early; and calling Herbert, one of his attendants, he bade him employ more than usual care in dressing him, and preparing him for so great and joyful a solemnity. Bishop Juxon, a man endowed with the same mild and steady virtues by which the king himself was so much distinguished

assisted him in his devotions, and paid the last melancholy duties to his friend and sovereign.

EXECUTION OF THE KING.

THE street before Whitehall was the place destined for the execution: for it was intended, by choosing that very place, in sight of his own palace, to display more evidently the triumph of popular justice over royal majesty. When the king came upon the scaffold, he found it so surrounded with soldiers, that he could not expect to be heard by any of the people: he addressed therefore, his discourse to the few persons who were about him; particularly colonel Tomlinson, to whose care he had lately been committed, and upon whom, as upon many others, his amiable deportment had wrought an entire conversion. He justified his own innocence in the late fatal wars, and observed that he had not taken arms till after the parliament had enlisted forces; nor had he any other object in his warlike operations, than to preserve that authority entire, which his predecessors had transmitted to him. He threw not, however, the blame upon the parliament; but was more inclined to think that ill-instruments had interposed, and raised in them fears and jealousies with regard to his intentions. Though innocent toward his people, he acknowledged the equity of his execution in the eyes of his Maker; and observed, that an unjust sentence, which he had suffered to take effect, was now punished by an unjust sentence upon himself. He forgave all his enemies, even the chief instruments of his death; but exhorted them and the whole nation to return to the ways of peace, by paying obedience to their lawful sovereign, his son and successor. When he was preparing himself for the block, bishop Juxon called to him: "There is, sir, but one stage more, which, though turbulent and troublesome, is yet a very short one. Consider, it will soon carry you a great way; it will carry you from earth to heaven; and there you shall find, to your great joy, the prize to which you hasten, a crown of glory."—"I go," replied the king, "from a corruptible to an incorruptible crown; where no disturbance can have place." At one blow was his head severed from his body. A man in a vizor performed the office of executioner: another, in a like disguise, held up to the spectators the head streaming with blood, and cried aloud, *This is the head of a traitor!*

It is impossible to describe the grief, indignation, and astonishment, which took place, not only among the spectators, who were overwhelmed with a flood of sorrow, but throughout the whole nation, as soon as the report of this fatal execution was conveyed to them. Never monarch, in the full triumph of success and victory, was more dear to his people, than his

misfortunes and magnanimity, his patience and piety, had rendered this unhappy prince. In proportion to their former delusions, which had animated them against him, was the violence of their return to duty and affection; while each reproached himself, either with active disloyalty towards him, or with too indolent defence of his oppressed cause. On weaker minds, the effect of these complicated passions was prodigious. Women are said to have cast forth the untimely fruit of their womb: others fell into convulsions, or sunk into such a melancholy as attended them to their grave: nay, some, unmindful of themselves, as though they could not, or would not, survive their beloved prince, it is reported, suddenly fell down dead. The very pulpits were bedewed with unsuborned tears; those pulpits, which had formerly thundered out the most violent imprecations and anathemas against him. And all men united in their detestation of those hypocritical parricides, who, by sanctified pretences, had so long disguised their treasons, and in this last act of iniquity, had thrown an indelible stain upon the nation.

A fresh instance of hypocrisy was displayed the very day of the king's death. The generous Fairfax, not content with being absent from the trial, had used all the interest which he yet retained, to prevent the execution of the fatal sentence; and had even employed persuasion with his own regiment, though none else would follow him, to rescue the king from his disloyal murderers. Cromwel and Ireton, informed of this intention, endeavoured to convince him that the Lord had rejected the king; and they exhorted him to seek by prayer some direction from heaven on this important occasion: but they concealed from him that they had already signed the warrant for the execution. Harrison was the person appointed to join in prayer with the unwary general. By agreement, he prolonged his doleful cant, till intelligence arrived, that the fatal blow was struck. He then rose from his knees, and insisted with Fairfax, that this event was a miraculous and providential answer, which heaven had sent to their devout supplications.¹⁰⁰

It being remarked, that the king, the moment before he stretched out his neck to the executioner, had said to Juxon, with a very earnest accent, the single word REMEMBER; great mysteries were supposed to be concealed under that expression; and the generals vehemently insisted with the prelate, that he should inform them of the king's meaning. Juxon told them, that the king, having frequently charged him to inculcate on his son the forgiveness of his murderers, had taken this opportunity, in the last moment of his life, when his commands, he supposed, would be regarded as sacred and inviolable, to reiterate that desire; and that his mild spirit

thus terminated its present course, by an act of benevolence towards his greatest enemies.

The character of this prince, as that of most men, if not of all men, was mixed; but his virtues predominated extremely above his vices, or more properly speaking, his imperfections: for scarce any of his faults rose to that pitch as to merit the appellation of vices. To consider him in the most favourable light, it may be affirmed that his dignity was free from pride, his humanity from weakness, his bravery from rashness, his temperance from austeri-ty, his frugality from avarice: all these virtues, in him, maintained their proper bounds, and merited unreserved praise. To speak the most harshly of him, we may affirm that many of his good qualities were attended with some latent frailty, which, though seemingly inconsiderable, was able, when seconded by the extreme malevolence of his fortune, to disappoint them of all their influence: his beneficent disposition was clouded by a manner not very gracious; his virtue was tinged with superstition; his good sense was disfigured by a deference to persons of a capacity inferior to his own; and his moderate temper exempted him not from hasty and precipitate resolutions. He deserves the epithet of a good, rather than a great man; and was more fitted to rule in a regular established government, than either to give way to the encroachments of a popular assembly, or finally to subdue their pretensions. He wanted suppleness and dexterity sufficient for the first measure: he was not endowed with the vigour requisite for the second. Had he been born an absolute prince, his humanity and good sense had rendered his reign happy and his memory precious: had the limitations and prerogative been in his time quite fixed and certain, his integrity had made him regard, as sacred, the boundaries of the constitution. Unhappily, his fate threw him into a period when the precedents of many former reigns, savoured strongly of arbitrary power, and the genius of the people ran violently towards liberty. And if his political prudence was not sufficient to extricate him from so perilous a situation, he may be excused; since, even after the event, when it is commonly easy to correct all errors, one is at a loss to determine what conduct, in his circumstances, would have maintained the authority of the crown, and preserved the peace of the nation. Exposed without revenue, without arms, to the assault of furious, implacable, and bigoted factions, it was never permitted him, but with the most fatal consequences, to commit the smallest mistake; a condition too rigorous to be imposed on the greatest human capacity.

Some historians have rashly questioned the good faith of this prince: but, for this reproach, the most malignant scrutiny of his conduct, which, in every circumstance, is now tho-

roughly known, affords not any reasonable foundation. On the contrary, if we consider the extreme difficulties to which he was so frequently reduced, and compare the sincerity of his professions and declarations; we shall avow, that probity and honour ought justly to be numbered among his most shining qualities. In every treaty, those concessions which he thought he could not in conscience maintain, he never could, by any motive or persuasion, be induced to make. And though some violations of the petition of right may perhaps be imputed to him; these are more to be ascribed to the necessity of his situation, and to the lofty ideas of royal prerogative, which, from former established precedents, he had imbibed, than to any failure in the integrity of his principles. [*See note (P) at the end of this Vol.*]

This prince was of a comely presence; of a sweet, but melancholy aspect. His face was regular, handsome, and well complexioned; his body strong, healthy, and justly proportioned; and being of a middle stature, he was capable of enduring the greatest fatigues. He excelled in horsemanship and other exercises; and he possessed all the exterior, as well as many of the essential qualities which form an accomplished prince.

The tragical death of Charles begat a question, whether the people, in any case, were entitled to judge and to punish their sovereign; and most men, regarding chiefly the atrocious usurpation of the pretended judges, and the merit of the virtuous prince who suffered, were inclined to condemn the republican principle as highly seditious and extravagant: but there still were a few who, abstracting from the particular circumstances of this case, were able to consider the question in general, and were inclined to moderate, not contradict, the prevailing sentiment. Such might have been their reasoning. If ever, on any occasion, it were laudable to conceal truth from the populace, it must be confessed, that the doctrine of resistance affords such an example; and that all speculative reasoners ought to observe, with regard to this principle, the same cautious silence, which the laws in every species of government have ever prescribed to themselves. Government is instituted in order to restrain the fury and injustice of the people; and being always founded on opinion, not on force, it is dangerous to weaken, by these speculations, the reverence which the multitude owe to authority, and to instruct them beforehand, that the case can ever happen, when they may be freed from their duty of allegiance. Or should it be found impossible to restrain the license of human disquisitions, it must be acknowledged, that the doctrine of obedience ought alone to be inculcated, and that the exceptions, which are rare, ought seldom or never to be mentioned in popular reasonings and discourses.

Nor is there any danger, that mankind, by this prudent reserve, should universally degenerate into a state of abject servitude. When the exception really occurs, even though it be not previously expected and descanted on, it must, from its very nature, be so obvious and undisputed, as to remove all doubt, and overpower the restraint, however great, imposed by teaching the general doctrine of obedience. But between resisting a prince and dethroning him, there is a wide interval; and the abuses of power, which can warrant the latter violence, are greater and more enormous than those which will justify the former. History, however, supplies us with examples even of this kind; and the reality of the supposition, though, for the future, it ought ever to be little looked for, must, by all candid inquirers, be acknowledged in the past. But between dethroning a prince and punishing him, there is another very wide interval; and it were not strange, if even men of the most enlarged thought should question, whether human nature could ever in any monarch reach that height of depravity, as to warrant, in revolted subjects, this last act of extraordinary jurisdiction. That illusion, if it be an illusion; which teaches us to pay a sacred regard to the persons of princes, is so salutary, that to dissipate it by the fogal trial and punishment of a sovereign, will have more pernicious effects upon the people, than the example of justice can be supposed to have a beneficial influence upon princes, by checking their career of tyranny. It is dangerous also, by these examples, to reduce princes to despair, or bring matters to such extremities against persons endowed with great power, as to leave them no resource, but in the most violent and most sanguinary counsels. This general position being established, it must however be observed, that no reader, almost of any party or principle, was ever shocked, when he read, in ancient history, that the Roman senate voted Nero, their absolute sovereign, to be a public enemy, and, even without trial, condemned him to the severest and most ignominious punishment; a punishment from which the meanest Roman citizen was, by the laws, exempted. The crimes of that bloody tyrant are so enormous, that they break through all rules; and extort a confession, that such a dethroned prince is no longer superior to his people, and can no longer plead, in his own defence, laws, which were established for conducting the ordinary course of administration. But when we pass from the case of Nero to that of Charles, the great disproportion, or rather total contrariety, of character immediately strikes us; and we stand astonished, that, among a civilized people, so much virtue could ever meet with so fatal a catastrophe. History, the great mistress of wisdom, furnishes examples of all kinds; and every pru-

dential, as well as moral precept, may be authorised by those events, which her enlarged mirror is able to present to us. From the memorable revolutions which passed in England during this period, we may naturally deduce the same useful lesson, which Charles himself, in his later years, inferred; that it is dangerous for princes, even from the appearance of necessity, to assume more authority than the laws have allowed them. But it must be confessed, that these events furnish us with another instruction, no less natural, and no less useful, concerning the madness of the people, the furies of fanaticism, and the danger of mercenary armies.

In order to close this part of the British history, it is also necessary to relate the dissolution of the monarchy in England: that event soon followed upon the death of the monarch. When the peers met, on the day appointed in their adjournment (6th Feb.), they entered upon business, and sent down some votes to the commons, of which the latter deigned not to take the least notice. In a few days, the lower house passed a vote, that they would make no more addresses to the house of peers, nor receive any from them; and that that house was useless and dangerous, and was therefore to be abolished. A like vote passed with regard to the monarchy; and it is remarkable, that Martin, a zealous republican, in the debate on this question, confessed, that, if they desired a king, the last was as proper as any gentleman in England.¹⁰⁸ The commons ordered a new great seal to be engraved, on which that assembly was represented, with this legend, *ON THE FIRST YEAR OF FREEDOM, BY GOD'S BLESSING, RESTORED, 1648*. The forms of all public business were changed, from the king's name, to that of the keepers of the liberties of England.¹⁰⁹ And it was declared high treason to proclaim, or any otherwise acknowledge, Charles Stuart, commonly called prince of Wales.

The commons intended, it is said, to bind the princess Elizabeth apprentice to a button-maker: the duke of Gloucester was to be taught some other mechanical employment. But the former soon died; of grief, as is supposed, for her father's tragical end: the latter was, by Cromwel, sent beyond sea.

The king's statue, in the Exchange, was thrown down; and on the pedestal these words were inscribed: *EXIT TYRANNUS, REGUM ULTIMUS; The tyrant is gone, the last of the Kings*.

Duke Hamilton was tried by a new high court of justice, as earl of Cambridge in England; and condemned for treason. This sentence, which was certainly hard, but which ought to save his memory from all imputations of treachery to his master, was executed on a scaffold, erected before Westminster-hall. Lord Capel underwent the same fate. Both these

noblemen had escaped from prison, but were afterwards discovered and taken. To all the solicitations of their friends for pardon, the generals and parliamentary leaders still replied, that it was certainly the intention of Providence they should suffer; since it had permitted them to fall into the hands of their enemies, after they had once recovered their liberty.

The earl of Holland lost his life by a like sentence. Though of a polite and courtly behaviour, he died lamented by no party. His ingratitude to the king, and his frequent changing of sides, were regarded as great stains on his memory. The earl of Norwich, and sir John Owen, being condemned by the same court, were pardoned by the commons.

The king left six children; three males, Charles, born in 1630, James duke of York, born in 1633, Henry duke of Gloucester, born in 1641; and three females, Mary princess of Orange, born 1631, Elizabeth, born 1635, and Henrietta, afterwards duchess of Orleans, born at Exeter 1644.

The archbishops of Canterbury in this reign were Abbot and Laud: the lord keepers, Williams bishop of Lincoln, lord Coventry, lord Finch, lord Littleton, and sir Richard Lane; the high admirals, the duke of Buckingham and the earl of Northumberland; the treasurers, the earl of Marlborough, the earl of Portland, Juxon bishop of London, and lord Cottington; the secretaries of state, lord Conway, sir Albertus Moreton, Coke, sir Henry Vane, lord Falkland, lord Digby, and sir Edward Nicholas.

It may be expected that we should here mention the *Icon Basilicæ*, a work published in the king's name a few days after his execution. It seems almost impossible, in the controverted parts of history, to say any thing which will satisfy the zealots of both parties: but with regard to the genuineness of that production, it is not easy for an historian to fix any opinion, which will be entirely to his own satisfaction. The proofs brought to evince that this work is or is not the king's, are so convincing, that if

any impartial reader peruse any one side apart,¹⁰⁴ he will think it impossible that arguments could be produced, sufficient to counterbalance so strong an evidence: and when he compares both sides, he will be some time at a loss to fix any determination. Should an absolute suspense of judgment be found difficult or disagreeable in so interesting a question, I must confess, that I much incline to give the preference to the arguments of the royalists. The testimonies, which prove that performance to be the king's, are more numerous, certain, and direct, than those on the other side. This is the case, even if we consider the external evidence: but when we weigh the internal, derived from the style and composition, there is no manner of comparison. These meditations resemble in elegance, purity, neatness, and simplicity, the genius of those performances which we know with certainty to have flowed from the royal pen: but are so unlike the bombast, perplexed, rhetorical, and corrupt style of Dr. Gauden, to whom they are ascribed, that no human testimony seems sufficient to convince us that he was the author. Yet all the evidences, which would rob the king of that honour, tend to prove that Dr. Gauden had the merit of writing so fine a performance, and the infamy of imposing it on the world for the king's.

It is not easy to conceive the general compassion excited towards the king, by the publishing, at so critical a juncture, a work so full of piety, meekness, and humanity. Many have not scrupled to ascribe to that book the subsequent restoration of the royal family. Milton compares its effects to those which were wrought on the tumultuous Romans by Anthony's reading to them the will of Cæsar. The *Icon* passed through fifty editions in a twelvemonth; and independent of the great interest taken in it by the nation, as the supposed production of their murdered sovereign, it must be acknowledged the best prose composition, which, at the time of its publication, was to be found in the English language.

NOTES.

- 1 Fourteen thousand men were only intended to be kept up; 6000 horse, 6000 foot, and 2000 dragoon.—*Bates*.
- 2 Rushworth, vol. vii. p. 564.
- 3 Rushworth, vol. vi. p. 134.
- 4 Rushworth, vol. vii. p. 565.
- 5 Rushworth, vol. vii. p. 474.
- 6 Parl. Hist. vol. xv. p. 342.
- 7 Parl. Hist. vol. xv. p. 344.
- 8 Rushworth, vol. vii. p. 457.
- 9 Parl. Hist. vol. vii. p. 458.
- 10 Rushworth, vol. vii. p. 461. 556.
- 11 Rushworth, vol. vii. p. 468.
- 12 Rushworth, vol. vii. p. 474.
- 13 Rushworth, vol. vii. p. 485. Clarendon, vol. v. p. 41.
- 14 Rushworth, vol. vii. p. 497. 505. Whitlocke, p. 250.
- 15 Rushworth, vol. vii. p. 487.
- 16 Whitlocke, p. 254. Warwick, p. 290.
- 17 Rushworth, vol. vii. p. 511, 515. Clarendon, vol. v. p. 474.
- 18 Clarendon, vol. v. p. 46.
- 19 Clement Walker's History of the Two Junos, prefixed to his History of Independence, p. 8. "This is an author of spirit and ingenuity; and being a zealous parliamentarian, his authority is very considerable, notwithstanding the air of satire which prevails in his writings. This computation, however, seems much too large; especially as the negotiations, during the time of war, could not be so considerable as afterwards."
- 20 Yet the same sign precisely is assigned in another book, called Royal Treasury of England, p. 240.
- 21 Clement Walker's History of Independence, p. 3. 166.
- 22 Clement Walker's History of Independence, p. 8.
- 23 Clement Walker's History of Independence, p. 8.
- 24 Clement Walker's History of Independence, p. 8.
- Attempt of the anti-
his pretence:
- but this author makes suffice appear, that this provision, small as it is, was never regularly paid the ejected clergy.
- 25 Clement Walker's History of Independence, p. 5. Hollis gives the same representation as Walker of the plundering, oppressions, and tyranny of the parliament: only, instead of laying the fault on both parties, as Walker does, he ascribes it solely to the independent faction. The presbyterians, indeed, being commonly denominated the moderate party, would probably be more inoffensive. See Rushworth, vol. vii. p. 498. and Parl. Hist. vol. xv. p. 230.
- Rushworth, vol. vii. p. 503. 547. Clarendon, vol. v. p. 45.
- Rushworth, vol. vii. p. 509.
- Rushworth, vol. vii. p. 507. 633.
- Rushworth, vol. vii. p. 731.
- Rushworth, vol. vii. p. 570.
- Rushworth, vol. vii. p. 572.
- Rushworth, vol. vii. p. 592.
- Rushworth, vol. vii. p. 592.
- Rushworth, vol. vii. p. 593. 594.
- Rushworth, vol. vii. p. 572. 574.
- Clarendon, vol. i. p. 51, 52. 57.
- When the king applied to have his children, the parliament always told him, that they could take as much care at London, both of their bodies and souls, as could be done at Oxford.
- Parl. Hist. vol. xiii. p. 127.
- Rushworth, vol. vii. p. 590.
- Warwick, p. 303. Parl. Hist. vol. xvi. p. 40. Clarendon, vol. v. p. 50.
- Rushworth, vol. vii. p. 629.
- Rushworth, vol. vii. p. 629. 632.
- Rushworth, vol. vii. p. 611. 611. Clarendon, vol. v. p. 61. Whitlocke, p. 269. Clement Walker, p. 56.
- vol. v. p. 43.
- Rushworth, vol. vii. p. 616.
- Whitlocke, p. 267.
- Rushworth, vol. vii. p. 797.
- Rushworth, vol. vii. p. 810.
- Clarendon, vol. v. p. 46.
- Rushworth, vol. vii. p. 871.
- P. 79, 80, &c.
- Rushworth, vol. vii. p. 815. 850.
- Rushworth, vol. vii. p. 875. Clarendon, vol. v. p. 87.
- Clarendon, vol. v. p. 92.
- The following was a favourite text among the enthusiasts of that age: "Let the high priests of God be in the mouths of his saints, and a two-fold the hands, upon the people: to bind their with chains and their nobles with."
- ver 6, 7, 8, 9. Hugh Peter, the mad chaplain of Cromwell, preached frequently upon this text.
- Rushworth, vol. vii. p. 850.
- Clarendon, vol. v. p. 88.
- Clement Walker, p. 70.
- Clement Walker, p. 70.
- Rushworth, vol. vii. p. 965. 467.
- Rushworth, vol. vii. p. 988. Clarendon, vol. v. p. 91.
- Warwick, p. 329.
- Rushworth, vol. vii. p. 989.
- Clement Walker, p. 80.
- Clarendon, vol. v. p. 101.
- Whitlocke, p. 305.
- 66 Clarendon, vol. v. p. 137.
- 67 Whitlocke, p. 284.
- 68 Clarendon, vol. v. p. 180. Sir Edward Walker's perfect copies, p. 6.
- 69 Sir Edward Walker's perfect copies, p. 8.
- 70 Sir Edward Walker's perfect copies, p. 8, 38.
- 71 Burnet's Memoirs of Hamilton.
- 72 Herbert's Memoirs, p. 72.
- 73 Warwick, p. 314.
- 75 Walker, p. 11, 12. 24.
- 76 Walker, p. 51.
- 77 Walker, p. 78.
- 78 Walker, p. 41.
- 79 Walker, p. 69. 77.
- 80 Walker, p. 76, 68.
- 81 Walker, p. 61.
- 82 Walker, p. 91. 93.
- 83 Walker, p. 29. 33. 49.
- 84 Walker, p. 61.
- 85 Walker, p. 75. 82. Rushworth, vol. i. p. 121.
- 86 Walker, p. 71.
- 87 17th of August.
- 88 Whitlocke, p. 164.
- 90 14th of August.
- 91 Whitlocke.
- 92 Col Cook's Men, p. 174. Rushworth, vol. vii. p. 117.
- 93 Rushworth, vol. vii. p. 1304.
- 94 Whitlocke.
- 95 Whitlocke, p. 269.
- 96 Rushworth, vol. vii. p. 1125.
- 97 Warwick, p. 389.
- 98 Peruchet, p. 85. Lloyd, p. 919.
- 99 Burnet's History of his own Times.
- 100 Herbert, p. 135.
- 101 Clement Walker's History of Independence.
- 102 Walker's History of Independence, part II.
- 103 The court of King's Bench was called the court of Public Bench. So cautious on this head were some of the republicans, that, it is pretended, in reciting the Lord's prayer, they would not say *thy kingdom come*, but always *thy commonwealth come*.
- 104 See on the one hand, Toland's Amyntor, and on the other, Wugstiff's vindication of the royal Martyr, with Young's addition. We may remark, that lord Clarendon's total silence with regard to this subject, is so full a history, composed in vindication of the king's measures and character, forms a presumption on Toland's side, and a presumption of which that author was ignorant; the work of the noble historian not being then published. Bishop Burnet's testimony too must be allowed of some weight against the king.

CHAPTER LX.

THE COMMONWEALTH.

State of England—of Scotland—of Ireland.—Levellers suppressed.—Siege of Dublin raised.—Tredah stormed.—Covenanters.—Montrose taken Prisoner—recruited.—Covenanters.—Battle of Dunbar—of Worcester.—King's Escape.—The Commonwealth.—Dutch War.—Dissolution of the Parliament.

STATE OF ENGLAND. 1649.

THE confusions which overspread England after the murder of Charles I. proceeded as well from the spirit of refinement and innovation, which agitated the ruling party, as from the dissolution of all that authority, both civil and ecclesiastical, by which the nation had ever been accustomed to be governed. Every man had framed the model of a republic, and however new it was, or fantastical, he was eager in recommending it to his fellow-citizens, or even imposing it by force upon them. Every man had adjusted a system of religion, which being derived from no traditional authority, was peculiar to himself; and being founded on supposed inspiration, not on any principles of human reason, had no means, besides cant and low rhetoric, by which it could recommend itself to others. The Levellers insisted on an equal distribution of power and property, and disclaimed all dependence and subordination. The Millenarians or Fifth-Monarchy-men required, that government itself should be abolished, and all human powers be laid in the dust, in order to pave the way for the dominion of Christ, whose second coming they suddenly expected. The Antinomians even insisted, that the obligations of morality and natural law were suspended, and that the elect, guided by an internal principle more perfect and divine, were superior to the *beggarly elements* of justice and humanity. A considerable party declaimed against tithes and hireling priesthood, and were resolved that the magistrate should not support by power or revenue any ecclesiastical establishment. Another party inveighed against the law and its professors; and on pretence of rendering more simple the distribution of justice, were desirous of abolishing the whole system of English jurisprudence, which seemed interwoven with monarchical government. Even those among the republicans who adopted not such extravagancies, were so intoxicated with their saintly character, that they supposed themselves possessed of peculiar privileges; and all professions, oaths, laws, and engagements had, in a great measure, lost their influence over them. The bands of society were every where loosened; and the irregular passions of men were en-

couraged by speculative principles, still more unsocial and irregular.

The royalists, consisting of the nobles and more considerable gentry, being degraded from their authority, and plundered of their property, were inflamed with the highest resentment and indignation against those ignoble adversaries, who had reduced them to subjection. The presbyterians, whose credit had first supported the arms of the parliament, were enraged to find that, by the treachery or superior cunning of their associates, the fruits of all their successful labours were ravished from them. The former party, from inclination and principle, zealously attached themselves to the son of their unfortunate monarch, whose memory they respected, and whose tragical death they deplored. The latter cast their eye towards the same object; but they had still many prejudices to overcome, many fears and jealousies to be allayed, ere they could cordially entertain thoughts of restoring the family, which they had so grievously offended, and whose principles they regarded with such violent abhorrence.

The only solid support of the republican independent faction, which, though it formed so small a part of the nation, had violently usurped the government of the whole, was a numerous army of near fifty thousand men. But this army, formidable from its discipline and courage, as well as its numbers, was actuated by a spirit that rendered it dangerous to the assembly which had assumed the command over it. Accustomed to indulge every chimera in politics, every phrenzy in religion, the soldiers knew little of the subordination of citizens, and had only learned, from apparent necessity, some maxims of military obedience. And while they still maintained, that all those enormous violations of law and equity, of which they had been guilty, were justified by the success with which Providence had blessed them; they were ready to break out into any new disorder, wherever they had the prospect of a like sanction and authority.

What alone gave some stability to all these unsettled humours was, the great influence both civil and military acquired by Oliver Cromwel. This man, suited to the age in which he lived, and to that alone, was equally

qualified to gain the affection and confidence of men, by what was mean, vulgar, and ridiculous in his character; as to command their obedience by what was great, daring, and enterprising. Familiar even to buffoonery with the meanest centinel, he never lost his authority: transported to a degree of madness with religious extasies, he never forgot the political purposes to which they might serve. Hating monarchy, while a subject; despising liberty, while a citizen; though he retained for a time all orders of men under a seeming obedience to the parliament; he was secretly paving the way, by artifice and courage, to his own unlimited authority.

The parliament, for so we must henceforth call a small and inconsiderable part of the house of commons, having murdered their sovereign with so many appearing circumstances of solemnity and justice, and so much real violence and even fury, began to assume more the air of a civil, legal power, and to enlarge a little the narrow bottom upon which they stood. They admitted a few of the excluded and absent members, such as were liable to least exception; but on condition that these members should sign an approbation of what ever had been done in their absence with regard to the king's trial: and some of them were willing to acquire a share of power on such terms: the greater part disdained to lend their authority to such apparent usurpations. They issued some writs for new elections, in places where they hoped to have interest enough to bring in their own friends and dependants. They named a council of state, thirty-eight in number, to whom all addresses were made, who gave orders to all generals and admirals, who executed the laws, and who digested all business before it was introduced into parliament.¹ They pretended to employ themselves entirely in adjusting the laws, forms, and plan of a new representative; and as soon as they should have settled the nation, they professed their intention of restoring the power of the people, from whom they acknowledged they had entirely derived it.

The commonwealth found every thing in England composed into a seeming tranquillity by the terror of their arms. Foreign powers, occupied in wars among themselves, had no leisure or inclination to interpose in the domestic dissensions of this island. The young king, poor and neglected, living sometimes in Holland, sometimes in France, sometimes in Jersey, comforted himself amidst his present distresses with the hopes of better fortune. The situation alone of Scotland and Ireland gave any immediate inquietude to the new republic.

OF SCOTLAND.

AFTER the successive defeats of Montrose and Hamilton, and the ruin of their parties, the

whole authority in Scotland fell into the hands of Argyle and the rigid churchmen, that party which was most averse to the interests of the royal family. Their enmity, however, against the independents, who had prevented the settlement of presbyterian discipline in England, carried them to embrace opposite maxims in their political conduct. Though invited by the English parliament to model their government into a republican form, they resolved still to adhere to monarchy, which had ever prevailed in their country, and which, by the express terms of their covenant, they had engaged to defend. They considered besides, that as the property of the kingdom lay mostly in the hands of great families, it would be difficult to establish a commonwealth, or without some chief magistrate, invested with royal authority, to preserve peace or justice in the community. The execution, therefore, of the king, against which they had always protested, having occasioned a vacancy of the throne, they immediately proclaimed his son and successor, Charles II.; but upon condition "of his good behaviour and strict observance of the covenant, and his entertaining no other persons about him but such as were godly men and faithful to that obligation." These unusual clauses, inserted in the very first acknowledgment of their prince, sufficiently showed their intention of limiting extremely his authority. And the English commonwealth, having no pretence to interpose in the affairs of that kingdom, allowed the Scots for the present to take their own measures in settling their government.

OF IRELAND.

THE dominion which England claimed over Ireland, demanded more immediately their efforts for subduing that country. In order to convey a just notion of Irish affairs, it will be necessary to look backwards some years, and to relate briefly those transactions which had past during the memorable revolutions in England. When the late king agreed to that cessation of arms with the popish rebels,² which was become so requisite, as well for the security of the Irish protestants as for promoting his interests in England, the parliament, in order to blacken his conduct, reproached him with favouring that odious rebellion, and exclaimed loudly against the terms of the cessation. They even went so far as to declare it entirely null and invalid, because finished without their consent; and to this declaration the Scots in Ulster, and the earl of Inchiquin, a nobleman of great authority in Munster, professed to adhere. By their means the war was still kept alive; but as the dangerous distractions in England hindered the parliament from sending any considerable assistance to their allies in Ireland,

the marquis of Ormond, lord lieutenant, being a native of Ireland, and a person endowed with great prudence and virtue, formed a scheme for composing the disorders of his country, and for engaging the rebel Irish to support the cause of his royal master. There were many circumstances which strongly invited the natives of Ireland to embrace the king's party. The maxims of that prince had always led him to give a reasonable indulgence to the catholics throughout all his dominions; and one principal ground of that enmity, which the puritans professed against him, was this tacit toleration. The parliament, on the contrary, even when unprovoked, had ever menaced the papists with the most rigid restraint, if not a total extirpation; and immediately after the commencement of the Irish rebellion, they put to sale all the estates of the rebels, and had engaged the public faith for transferring them to the adventurers, who had already advanced money upon that security. The success, therefore, which the arms of the parliament met with at Naseby, struck a just terror into the Irish; and engaged the council of Kilkenny, composed of deputies from all the catholic counties and cities, to conclude a peace with the marquis of Ormond.³ They professed to return to their duty and allegiance, engaged to furnish ten thousand men for the support of the king's authority in England, and were content with stipulating in return, indemnity for their rebellion and toleration of their religion.

Ormond, not doubting but a peace, so advantageous and even necessary to the Irish, would be strictly observed, advanced with a small body of troops to Kilkenny, in order to concert measures for common defence with his new allies. The pope had sent over to Ireland a nuncio, Rinuccini, an Italian; and this man, whose commission empowered him to direct the spiritual concerns of the Irish, was emboldened, by their ignorance and bigotry, to assume the chief authority in the civil government. Foreseeing that a general submission to the lord-lieutenant would put an end to his own influence, he conspired with Owen O'Neal, who commanded the native Irish in Ulster, and who bore a great jealousy to Preston, the general chiefly trusted by the council of Kilkenny. By concert, these two malcontents secretly drew forces together, and were ready to fall on Ormond, who remained in security, trusting to the pacification so lately concluded with the rebels. He received intelligence of their treachery, made his retreat with celerity and conduct, and sheltered his small army in Dublin and the other fortified towns, which still remained in the hands of the protestants.

The nuncio, full of arrogance, levity, and ambition, was not contented with his violation of treaty. He summoned an assembly of the clergy at Waterford, and engaged them to de-

clare against that pacification, which the civil council had concluded with their sovereign. He even thundered out a sentence of excommunication against all who should adhere to a peace, so prejudicial, as he pretended, to the catholic religion; and the deluded Irish, terrified with his spiritual menaces, ranged themselves every where on his side, and submitted to his authority. Without scruple, he carried on war against the lord-lieutenant, and threatened with a siege the protestant garrisons, which were, all of them, very ill provided for defence.

Meanwhile, the unfortunate king was necessitated to take shelter in the Scottish army; and being there reduced to close confinement, and secluded from all commerce with his friends, despaired, that his authority, or even his liberty, would ever be restored to him. He sent orders to Ormond, if he could not defend himself, rather to submit to the English than to the Irish rebels; and accordingly the lord-lieutenant, being reduced to extremities, delivered up Dublin, Tredeah, Dundalk, and other garrisons, to colonel Michael Jones, who took possession of them in the name of the English parliament. Ormond himself went over to England, was admitted into the king's presence, received a grateful acknowledgment for his past services, and during some time lived in tranquillity near London. But being banished with the other royalists, to a distance from that city, and seeing every event turn out unfortunately for his royal master, and threaten him with a catastrophe still more dreadful, he thought proper to retire into France, where he joined the queen and the prince of Wales.

In Ireland, during these transactions, the authority of the nuncio prevailed without control among all the catholics; and that prelate, by his indiscretion and insolence, soon made them repent of the power with which they had intrusted him. Prudent men likewise were sensible of the total destruction which was hanging over the nation from the English parliament, and saw no resource or safety but in giving support to the declining authority of the king. The earl of Clanricarde, a nobleman of an ancient family, a person too of merit, who had ever preserved his loyalty, was sensible of the ruin which threatened his countrymen, and was resolved, if possible, to prevent it. He secretly formed a combination among the catholics; he entered into a correspondence with Inchiquin, who preserved great authority over the protestants in Munster; he attacked the nuncio, whom he chased out of the island; and he sent to Paris a deputation, inviting the lord-lieutenant to return and take possession of his government.

Ormond, on his arrival in Ireland, found the kingdom divided into many factions, among which either open war or secret enmity pre-

vailed. The authority of the English parliament was established in Dublin, and the other towns, which he himself had delivered into their hands. O'Neal maintained his credit in Ulster; and having entered into a secret correspondence with the parliamentary generals, was more intent on schemes for his own personal safety, than anxious for the preservation of his country or religion. The other Irish, divided between their clergy, who were averse to Ormond, and their nobility, who were attached to him, were very uncertain in their motions and feeble in their measures. The Scots in the north, enraged, as well as their other countrymen, against the usurpations of the sectarian army, professed their adherence to the king; but were still hindered by many prejudices from entering into a cordial union with his lieutenant. All these distracted councils and contrary humours checked the progress of Ormond, and enabled the parliamentary forces in Ireland to maintain their ground against him. The republican faction, meanwhile, in England, employed in subduing the revolted royalists, in reducing the parliament to subjection, in the trial, condemnation, and execution of their sovereign, totally neglected the supplying of Ireland, and allowed Jones and the forces in Dublin to remain in the utmost weakness and necessity. The lord-lieutenant, though surrounded with difficulties, neglected not the favourable opportunity of promoting the royal cause. Having at last assembled an army of 16,000 men, he advanced upon the parliamentary garrisons. Dundalk, where Monk commanded, was delivered up by the troops, who mutinied against their governor. Tredah, Neury, and other forts, were taken. Dublin was threatened with a siege; and the affairs of the lieutenant appeared in so prosperous a condition, that the young king entertained thoughts of coming in person into Ireland.

When the English commonwealth was brought to some tolerable settlement, men began to cast their eyes towards the neighbouring island. During the contest of the two parties, the government of Ireland had remained a great object of intrigue; and the presbyterians endeavoured to obtain the lieutenancy for Waller, the independents for Lambert. After the execution of the king, Cromwel himself began to aspire to a command, where so much glory, he saw, might be won, and so much authority acquired. In his absence, he took care to have his name proposed to the council of state (15th March); and both friends and enemies concurred immediately to vote him into that important office: the former suspected, that the matter had not been proposed merely by chance, without his own concurrence; the latter desired to remove him to a distance, and hoped, during his ab-

sence, to gain the ascendant over Fairfax, whom he had so long blinded by his hypocritical professions. Cromwel himself, when informed of his election, feigned surprise, and pretended at first to hesitate with regard to the acceptance of the command. And Lambert, either deceived by his dissimulation, or in his turn feigning to be deceived, still continued, notwithstanding this disappointment, his friendship and connexions with Cromwel.

The new lieutenant immediately applied himself with his wonted vigilance to make preparations for his expedition. Many disorders in England it behoved him previously to compose. All places were full of danger and inquietude. Though men, astonished with the successes of the army, remained in seeming tranquillity, symptoms of the greatest discontent every where appeared. The English, long accustomed to a mild administration, and unacquainted with dissimulation, could not conform their speech and countenance to the present necessity, or pretend attachment to a form of government, which they generally regarded with such violent abhorrence. It was requisite to change the magistracy of London, and to degrade, as well as punish, the mayor and some of the aldermen, before the proclamation for the abolition of monarchy could be published in the city. An engagement being framed to support the commonwealth without king or house of peers, the army was with some difficulty brought to subscribe it; but though it was imposed upon the rest of the nation under severe penalties, no less than putting all who refused out of the protection of law; such obstinate reluctance was observed in the people, that even the imperious parliament was obliged to desist from it. The spirit of fanaticism, by which that assembly had at first been strongly supported, was now turned, in a great measure, against them. The pulpits being chiefly filled with presbyterians, or disguised royalists, and having long been the scene of news and politics, could by no penalties be restrained from declarations unfavourable to the established government. Numberless were the extravagancies which broke out among the people. Everard, a disbanded soldier, having preached that the time was now come when the community of goods would be renewed among christians, led out his followers to take possession of the land; and being carried before the general he refused to salute him; because he was but his fellow creature.⁴ What seemed more dangerous, the army itself was infected with like humours [See note (Q) at the end of this Vol.] Though the levellers had for a time been suppressed by the audacious spirit of Cromwel, they still continued to propagate their doctrines among the private men and inferior officers, who pretended a right to be consulted, as before, in the administration of the common-

wealth. They now practised against their officers the same lesson which they had been taught against the parliament. They framed a remonstrance, and sent five agitators to present it to the general and council of war: these were cashiered with ignominy by sentence of a court-martial. One Lockier, having carried his sedition farther, was sentenced to death; but this punishment was so far from quelling the mutinous spirit, that above a thousand of his companions showed their adherence to him, by attending his funeral, and wearing in their hats black and sea-green ribbons by way of favours. About four thousand assembled at Burford, under the command of Thompson, a man formerly condemned for sedition by a court-martial, but pardoned by the general. Colonel Reynolds, and afterwards Fairfax and Cromwel, fell upon them, while unprepared for defence, and seduced by the appearance of a treaty. Four hundred were taken prisoners: some of them capitally punished: the rest pardoned: and this tumultuous spirit, though it still lurked in the army, and broke out from time to time, seemed for the present to be suppressed.

Petitions, framed in the same spirit of opposition, were presented to the parliament by lieutenant-colonel Lilburn, the person who, for dispersing seditious libels, had formerly been treated with such severity by the star-chamber. His liberty was at this time as ill-relished by the parliament, and he was thrown into prison, as a promoter of sedition and disorder in the commonwealth. The women applied by petition for his release; but were now desired to mind their household affairs, and leave the government of the state to the men. From all quarters, the parliament was harassed with petitions of a very free nature, which strongly spoke the sense of the nation, and proved how ardently all men longed for the restoration of their laws and liberties. Even in a feast, which the city gave to the parliament and council of state, it was decreed a requisite precaution, if we may credit Walker and Dugdale, to swear all the cooks, that they would serve nothing but wholesome food to them.

The parliament judged it necessary to enlarge the laws of high-treason beyond those narrow bounds, within which they had been confined during the monarchy. They even comprehended verbal offences, nay intentions, though they had never appeared in any overt act against the state. To affirm the present government to be an usurpation, to assert that the parliament or council of state were tyrannical or illegal, to endeavour subverting their authority, or stirring up sedition against them, these offences were declared to be high-treason. The power of imprisonment, of which the petition of right had bereaved the king, it was now found necessary to restore to the

council of state; and all the jails in England were filled with men whom the jealousies and fears of the ruling party had represented as dangerous.⁵ The taxes, continued by the new government, and which, being unusual, were esteemed heavy, increased the general ill-will under which it laboured. Besides the customs and excise, ninety thousand pounds a-month were levied on land for the subsistence of the army. The sequestrations and compositions of the royalists, the sale of the crown lands, and of the dean and chapter lands, though they yielded great sums, were not sufficient to support the vast expences, and, as was suspected, the great depredations of the parliament and their creatures.⁶

Amidst all these difficulties and disturbances, the steady mind of Cromwel, without confusion or embarrassment, still pursued its purpose. While he was collecting an army of twelve thousand men in the west of England, he sent to Ireland, under Reynolds and Venables, a reinforcement of four thousand horse and foot, in order to strengthen Jones, and enable him to defend himself against the marquis of Ormond, who lay at Finglass, and was making preparations for the attack of Dublin. Inchiquin, who had now made a treaty with the king's lieutenant, having, with a separate body, taken Tredah, and Dundalk, gave a defeat to O'Farrell who served under O'Neal, and to young Coot who commanded some parliamentary forces. After he had joined his troops to the main army, with whom, for some time, he remained united, Ormond passed the river Liffy, and took post at Rathmines, two miles from Dublin, with a view of commencing the siege of that city. In order to cut off all farther supply from Jones, he had begun the reparation of an old fort which lay at the gates of Dublin; and being exhausted with continual fatigue for some days, he had retired to rest, after leaving orders to keep his forces under arms. He was suddenly awaked with the noise of firing (2nd Aug.); and starting from his bed, saw every thing already in tumult and confusion. Jones, an excellent officer, formerly a lawyer, had sallied out with the reinforcement newly arrived; and, attacking the party employed in repairing the fort, he totally routed them, pursued the advantage, and fell in with the army, which had neglected Ormond's orders. These he soon threw into disorder; put them to flight, in spite of all the efforts of the lord-lieutenant; chased them off the field; seized all their tents, baggage, ammunition; and returned victorious to Dublin, after killing a thousand men, and taking above two thousand prisoners.⁷

This loss, which threw some blemish on the military character of Ormond, was irreparable to the royal cause. That numerous army which, with so much pains and difficulty, the lord-lieutenant had been collecting for more

than a year, was dispersed in a moment. Cromwel soon after arrived in Dublin, where he was welcomed with shouts and rejoicings. He hastened to Tredah. That town was well fortified: Ormond had thrown into it a good garrison of three thousand men, under sir Arthur Aston, an officer of reputation. He expected that Tredah, lying in the neighbourhood of Dublin, would first be attempted by Cromwel, and he was desirous to employ the enemy some time in that siege, while he himself should repair his broken forces. But Cromwel knew the importance of dispatch. Having made a breach, he ordered a general assault. Though twice repulsed with loss, he renewed the attack, and himself, along with Ireton, led on his men. All opposition was overborne by the furious valour of the troops. The town was taken sword in hand; and orders being issued to give no quarter, a cruel slaughter was made of the garrison. Even a few, who were saved by the soldiers, satiated with blood, were next day miserably butchered by orders from the general. One person alone of the garrison escaped to be a messenger of this universal havoc and destruction.

Cromwel pretended to retaliate by this severe execution the cruelty of the Irish massacre: but he well knew, that almost the whole garrison was English; and his justice was only a barbarous policy, in order to terrify all other garrisons from resistance. His policy, however, had the desired effect. Having led the army without delay to Wexford, he began to batter the town. The garrison, after a slight defence, offered to capitulate; but, before they obtained a cessation, they imprudently neglected their guards; and the English army rushed in upon them. The same severity was exercised as at Tredah.

Every town, before which Cromwel presented himself, now opened its gates without resistance. Ross, though strongly garrisoned, was surrendered by lord Taffe. Having taken Estionage, Cromwel threw a bridge over the Barrow, and made himself master of Passage and Carric. The English had no farther difficulties to encounter than what arose from fatigue and the advanced season. Fluxes and contagious distempers crept in among the soldiers, who perished in great numbers. Jones himself, the brave governor of Dublin, died at Wexford. And Cromwel had so far advanced with his decayed army, that he began to find it difficult either to subsist in the enemy's country, or retreat to his own garrisons. But while he was in these straits, Corke, Kinsale, and all the English garrisons in Munster, deserted to him, and opening their gates, resolved to share the fortunes of their victorious countrymen.

This desertion of the English put an end to Ormond's authority, which was already much

diminished by the misfortunes at Dublin, Tredah, and Wexford. The Irish, actuated by national and religious prejudices, could no longer be kept in obedience by a protestant governor, who was so unsuccessful in all his enterprises. The clergy renewed their excommunications against him and his adherents, and added the terrors of superstition to those which arose from a victorious enemy. Cromwel, having received a reinforcement from England, again took the field early in the spring. He made himself master of Kilkenny and Clonmel, the only places where he met with any vigorous resistance. The whole frame of the Irish union being in a manner dissolved, Ormond soon after left the island, and delegated his authority to Clanricarde, who found affairs so desperate as to admit of no remedy. The Irish were glad to embrace banishment as a refuge. Above 40,000 men passed into foreign service; and Cromwel, well pleased to free the island from enemies, who never could be cordially reconciled to the English, gave them full liberty and leisure for their embarkation.

While Cromwel proceeded with such uninterrupted success in Ireland, which in the space of nine months he had almost entirely subdued, fortune was preparing for him a new scene of victory and triumph in Scotland. Charles was at the Hague when sir Joseph Douglas brought him intelligence that he was proclaimed king by the Scottish parliament. At the same time, Douglas informed him of the hard conditions annexed to the proclamation, and extremely damped that joy which might arise from his being recognised sovereign in one of his kingdoms. Charles too considered, that those who pretended to acknowledge his title, were at that very time in actual rebellion against his family, and would be sure to intrust very little authority in his hands, and scarcely would afford him personal liberty and security. As the prospect of affairs in Ireland was at that time not unpromising, he intended rather to try his fortune in that kingdom, from which he expected more dutiful submission and obedience.

Meanwhile he found it expedient to depart from Holland. The people in the United Provinces were much attached to his interests. Besides his connexion with the family of Orange, which was extremely beloved by the populace, all men regarded with compassion his helpless condition, and expressed the greatest abhorrence against the murder of his father; a deed to which nothing, they thought, but the rage of fanaticism and faction could have impelled the parliament. But though the public in general bore great favour to the king, the States were uneasy at his presence. They dreaded the parliament, so formidable by their power, and so prosperous in all their

enterprises. They apprehended the most precipitate resolutions from men of such violent and haughty dispositions. And, after the murder of Dorislaus, they found it still more necessary to satisfy the English commonwealth, by removing the king to a distance from them.

Dorislaus, though a native of Holland, had lived long in England; and being employed as assistant to the high court of justice, which condemned the late king, he had risen to great credit and favour with the ruling party. They sent him envoy to Holland; but no sooner had he arrived at the Hague, than he was set upon by some royalists, chiefly retainers to Montrose. They rushed into the room, where he was sitting with some company; dragged him from the table; put him to death as the first victim to their murdered sovereign; very leisurely and peaceably separated themselves; and though orders were issued by the magistrates to arrest them, these were executed with such slowness and reluctance, that the criminals had all of them the opportunity of making their escape.

1650. Charles, having passed some time at Paris, where no assistance was given him, and even few civilities were paid him, made his retreat into Jersey, where his authority was still acknowledged. Here Winram, laird of Liberton, came to him as deputy from the committee of estates in Scotland, and informed him of the conditions to which he must necessarily submit before he could be admitted to the exercise of his authority. Conditions more severe were never imposed by subjects upon their sovereign; but as the affairs of Ireland began to decline, and the king found it no longer safe to venture himself in that island, he gave a civil answer to Winram, and desired the commissioners to meet him at Breda, in order to enter into a treaty with regard to these conditions.

COVENANTERS.

THE earls of Cassilis and Lothian, lord Burley, the laird of Liberton, and other commissioners, arrived at Breda; but without any power of treating: the king must submit, without reserve, to the terms imposed upon him. The terms were, that he should issue a proclamation, banishing from court all excommunicated persons, that is, all those who, either under Hamilton or Montrose, had ventured their lives for his family; that no English subject who had served against the parliament, should be allowed to approach him; that he should bind himself by his royal promise to take the covenant; that he should ratify all acts of parliament by which presbyterian government, the directory of worship, the confession of faith, and the catechism, were established; and that in civil affairs he

should entirely conform himself to the direction of parliament, and in ecclesiastical, to that of the assembly. These proposals, the commissioners, after passing some time in sermons and prayers, in order to express the more determined resolution, very solemnly delivered to the king.

The king's friends were divided with regard to the part which he should act in this critical conjuncture. Most of his English counsellors dissuaded him from accepting conditions so disadvantageous and dishonourable. They said that the men who now governed Scotland were the most furious and bigoted of that party, which, notwithstanding his gentle government, had first excited a rebellion against the late king; after the most unlimited concessions, had renewed their rebellion, and stopped the progress of his victories in England; and after he had intrusted his person to them in his uttermost distress, had basely sold him, together with their own honour, to his barbarous enemies: that they had as yet shown no marks of repentance, and even in the terms which they now proposed, displayed the same anti-monarchical principles, and the same jealousy of their sovereign, by which they had ever been actuated: that nothing could be more dishonourable than that the king, in his first enterprise, should sacrifice, merely for the empty name of royalty, those principles for which his father had died a martyr, and in which he himself had been strictly educated: that by this hypocrisy he might lose the royalists, who alone were sincerely attached to him; but never would gain the presbyterians, who were averse to his family and his cause, and would ascribe his compliance merely to policy and necessity: that the Scots had refused to give him any assurances of their intending to restore him to the throne of England; and could they even be brought to make such an attempt, it had sufficiently appeared, by the event of Hamilton's engagement, how unequal their force was to so great an enterprise: that on the first check which they should receive, Argyle and his partisans would lay hold of the quickest expedient for reconciling themselves to the English parliament, and would betray the king, as they had done his father, into the hands of his enemies: and that, however desperate the royal cause, it must still be regarded as highly imprudent in the king to make a sacrifice of his honour; where the sole purchase was to endanger his life or liberty.

The earl of Lanerik, now duke of Hamilton, the earl of Lauderdale, and others of that party, who had been banished their country for the late engagement, were then with the king; and being desirous of returning home in his retinue, they joined the opinion of the young duke of Buckingham, and earnestly pressed him to submit to the conditions

required of him. It was urged, that nothing would more gratify the king's enemies than to see him fall into the snare laid for him, and by no scrupulous a nicety, leave the possession of his dominions to those who desired but a pretence for excluding him: that Argyle, not daring so far to oppose the bent of the nation as to throw off all allegiance to his sovereign, had embraced this expedient, by which he hoped to make Charles dethrone himself, and refuse a kingdom which was offered him: that it was not to be doubted but the same national spirit, assisted by Hamilton and his party, would rise still higher in favour of their prince after he had intrusted himself to their fidelity, and would much abate the rigour of the conditions now imposed upon him: that whatever might be the present intentions of the ruling party, they must unavoidably be engaged in a war with England, and must accept the assistance of the king's friends of all parties, in order to support themselves against a power so much superior: that how much soever a steady, uniform conduct might have been suitable to the advanced age and strict engagements of the late king, no one would throw any blame on a young prince for complying with conditions which necessity had extorted from him: that even the rigour of those principles professed by his father, though with some it had exalted his character, had been extremely prejudicial to his interests; nor could any thing be more serviceable to the royal cause, than to give all parties room to hope for more equal and more indulgent maxims of government: and that where affairs were reduced to so desperate a situation, dangers ought little to be regarded; and the king's honour lay rather in showing some early symptoms of courage and activity, than in choosing strictly a party among theological controversies, with which it might be supposed, he was as yet very little acquainted.

These arguments, seconded by the advice of the queen-mother and of the prince of Orange, the king's brother-in-law, who both of them thought it ridiculous to refuse a kingdom merely from regard to episcopacy, had great influence on Charles. But what chiefly determined him to comply was the account brought him of the fate of Montrose, who, with all the circumstances of rage and contumely, had been put to death by his zealous countrymen. Though in this instance the king saw more evidently the furious spirit by which the Scots were actuated, he had now no farther resource, and was obliged to grant whatever was demanded of him.

MONTROSE TAKEN PRISONER.

MONTROSE, having laid down his arms at the command of the late king, had retired

into France, and, contrary to his natural disposition, had lived for some time unactive at Paris. He there became acquainted with the famous cardinal de Retz; and that penetrating judge celebrates him in his memoirs as one of those heroes, of whom there are no longer any remains in the world, and who are only to be met with in Plutarch. Desirous of improving his martial genius, he took a journey to Germany, was caressed by the emperor, received the rank of mareschal, and proposed to levy a regiment for the imperial service. While employed for that purpose in the Low Countries, he heard of the tragical death of the king; and at the same time received from his young master a renewal of his commission of captain general in Scotland.⁸ His ardent and daring spirit needed but this authority to put him in action. He gathered followers in Holland and the north of Germany, whom his great reputation allured to him. The king of Denmark and duke of Holstein sent him some small supply of money: the queen of Sweden furnished him with arms: the prince of Orange with ships: and Montrose, hastening his enterprise, lest the king's agreement with the Scots should make him revoke his commission, he set out for the Orkneys with about 500 men, most of them Germans. These were all the preparations which he could make against a kingdom, settled in domestic peace, supported by a disciplined army, fully apprized of his enterprise, and prepared against him. Some of his retainers having told him of a prophecy, *that to him and him alone it was reserved to restore the king's authority in all his dominions*: he lent a willing ear to suggestions which, however ill-grounded or improbable, were so conformable to his own daring character.

He armed several of the inhabitants of the Orkneys, though an unwarlike people, and carried them over with him to Caithness; hoping that the general affection to the king's service, and the fame of his former exploits, would make the Highlanders flock to his standard. But all men were now harassed and fatigued with wars and disorders: many of those who formerly adhered to him, had been severely punished by the covenanters: and no prospect of success was entertained in opposition to so great a force as was drawn together against him. But however weak Montrose's army, the memory of past events struck a great terror into the committee of estates. They immediately ordered Lesley and Holborne to march against him with an army of 4000 men. Strahan was sent before, with a body of cavalry, to check his progress. He fell unexpectedly on Montrose, who had no horse to bring him intelligence. The royalists were put to flight; all of them either killed or taken prisoners; and Montrose himself, having put on the disguise of a peasant, was

perfidiously delivered into the hands of his enemies, by a friend to whom he had intrusted his person.

All the insolence which success can produce in ungenerous minds, was exercised by the covenanters against Montrose, whom they so much hated and so much dreaded. Theological antipathy farther increased their indignities towards a person, whom they regarded as impious on account of the excommunication which had been pronounced against him. Lesley led him about for several days in the same low habit under which he had disguised himself. The vulgar, wherever he passed, were instigated to reproach and vilify him. When he came to Edinburgh, every circumstance of elaborate rage and insult was put in practice by order of the parliament. At the gate of the city he was met by the magistrates, and put into a new cart, purposely made with a high chair or bench, where he was placed, that the people might have a full view of him. He was bound with a cord, drawn over his breast and shoulders, and fastened through holes made in the cart. The hangman then took off the hat of the noble prisoner, and rode himself before the cart in his livery, and with his bonnet on; the other officers, who were taken prisoners with the marquis, walking two and two before them.

The populace, more generous and humane, when they saw so mighty a change of fortune in this great man, so lately their dread and terror, into whose hands the magistrates, a few years before, had delivered on their knees the keys of the city, were struck with compassion, and viewed him with silent tears and admiration. The preachers, next Sunday, exclaimed against this movement of rebel nature, as they termed it; and reproached the people with their profane tenderness towards the capital enemy of piety and religion.

When he was carried before the parliament, which was then sitting, London, the chancellor, in a violent declamation, reproached him with the breach of the national covenant, which he had subscribed; his rebellion against God, the king, and the kingdom; and the many horrible murders, treasons, and impieties for which he was now to be brought to condign punishment. Montrose in his answer maintained the same superiority above his enemies, to which by his fame and great actions, as well as by the consciousness of a good cause, he was justly entitled. He told the parliament, that since the king, as he was informed, had so far avowed their authority, as to enter into treaty with them, he now appeared uncovered before their tribunal; a respect which, while they stood in open defiance to their sovereign, they would in vain have required of him. That he acknowledged, with infinite shame and remorse, the errors of his early conduct, when their plausible

pretences had seduced him to tread with them the paths of rebellion, and bear arms against his prince and country. That his following services, he hoped, had sufficiently testified his repentance; and his death would now atone for that guilt, the only one with which he could justly reproach himself. That in all his warlike enterprises he was warranted by that commission, which he had received from his and their master, against whose lawful authority they had erected their standard. That to venture his life for his sovereign was the least part of his merit: he had even thrown down his arms in obedience to the sacred commands of the king; and had resigned to them the victory, which, in defiance of all their efforts, he was still enabled to dispute with them. That no blood had ever been shed by him but in the field of battle; and many persons were now in his eye, many now dared to pronounce sentence of death upon him, whose life, forfeited by the laws of war, he had formerly saved from the fury of the soldiers. That he was sorry to find no better testimony of their return to allegiance than the murder of so faithful a subject, in whose death the king's commission must be at once so highly injured and affronted. That as to himself, they had in vain endeavoured to vilify and degrade him by all their studied indignities, the justice of his cause, he knew, would ennoble any fortune; nor had he other affliction than to see the authority of his prince, with which he was invested, treated with so much ignominy. And that he now joyfully followed, by a like unjust sentence, his late sovereign; and should be happy if, in his future destiny, he could follow him to the same blissful mansions, where his piety and humane virtues had already, without doubt, secured him an eternal recompense.

Montrose's sentence was next pronounced against him, "That he, James Graham" (for this was the only name they vouchsafed to give him), "should next day be carried to Edinburgh cross, and there be hanged on a gibbet, thirty feet high, for the space of three hours; then be taken down, his head be cut off upon a scaffold, and affixed to the prison: his legs and arms be stuck up on the four chief towns of the kingdom: his body be buried in the place appropriated for common malefactors; except the church, upon his repentance, should take off his excommunication."

The clergy, hoping that the terrors of immediate death had now given them an advantage over their enemy, flocked about him, and insulted over his fallen fortunes. They pronounced his damnation, and assured him, that the judgment, which he was so soon to suffer, would prove but an easy prologue to that which he must undergo hereafter. They next offered to pray with him: but he was too well acquainted with those forms of imprecation

which they called prayers. "Lord, vouchsafe yet to touch the obdurate heart of this proud incorrigible sinner; this wicked, perjured, traitorous, and profane person, who refuses to hearken to the voice of thy church." Such were the petitions, which, he expected, they would, according to custom, offer up for him. He told them, that they were a miserably deluded and deluding people; and would shortly bring their country under the most insupportable servitude, to which any nation had ever been reduced. "For my part," added he, "I am much prouder to have my head affixed to the place where it is sentenced to stand, than to have my picture hang in the king's bed-chamber. So far from being sorry that my quarters are to be sent to four cities of the kingdom; I wish I had limbs enough to be dispersed into all the cities of Christendom, there to remain as testimonies in favour of the cause for which I suffer." This sentiment, that very evening, while in prison, he threw into verse. The poem remains; a signal monument of his heroic spirit, and no despicable proof of his poetical genius.

Now (21st May) was led forth, amidst the insults of his enemies and the tears of the people, this man of illustrious birth, and of the greatest renown in the nation, to suffer, for his adhering to the laws of his country, and the rights of his sovereign, the ignominious death destined to the meanest malefactor. Every attempt, which the insolence of the governing party had made to subdue his spirit, had hitherto proved fruitless: they made yet one effort more, in this last and melancholy scene, when all enmity, arising from motives merely human, is commonly softened and disarmed. The executioner brought that book, which had been published in elegant Latin, of his great military actions, and tied it by a cord about his neck. Montrose smiled at this new instance of their malice. He thanked them, however, for their officious zeal; and said, that he bore this testimony of his bravery and loyalty with more pride than he had ever worn the garter. Having asked, whether they had any more indignities to put upon him, and renewing some devout ejaculations, he patiently endured the last act of the executioner.

Thus perished, in the thirty-eighth year of his age, the gallant marquis of Montrose; the man whose military genius, both by valour and conduct, had shone forth beyond any which, during these civil disorders, had appeared in the three kingdoms. The finer arts too, he had, in his youth, successfully cultivated; and whatever was sublime, elegant, or noble, touched his great soul. Nor was he insensible to the pleasures either of society or of love. Something, however, of the *vast and unbounded* characterised his actions and deportment; and it was merely by an heroic effort of duty, that

he brought his mind, impatient of superiority, and even of equality, to pay such unlimited submission to the will of his sovereign.

The vengeance of the covenanters was not satisfied with Montrose's execution. Urrey, whose inconstancy now led him to take part with the king, suffered about the same time: Spottiswood of Daersie, a youth of eighteen, sir Francis Hay of Dalgetie, and colonel Sibbald, all of them of birth and character, underwent a like fate. These were taken prisoners with Montrose. The marquis of Huntley, about a year before, had also fallen a victim to the severity of the covenanters.

The past scene displays in a full light the barbarity of this theological faction: the sequel will sufficiently display their absurdity.

The king, in consequence of his agreement with the commissioners of Scotland, set sail for that country (23rd June;) and being escorted by seven Dutch ships of war, who were sent to guard the herring fishery, he arrived in the frith of Cromarty. Before he was permitted to land, he was required to sign the covenant; and many sermons and lectures were made him, exhorting him to persevere in that holy confederacy.⁹ Hamilton, Lauderdale, Dumfermling, and other noblemen of that party whom they called Engagers, were immediately separated from him, and obliged to retire to their houses, where they lived in a private manner, without trust or authority. None of his English friends, who had served his father, were allowed to remain in the kingdom. The king himself found that he was considered as a mere pageant of state, and that the few remains of royalty which he possessed, served only to draw on him the greater indignities. One of the quarters of Montrose, his faithful servant, who had borne his commission, had been sent to Aberdeen, and was still allowed to hang over the gates when he passed by that place.¹⁰ The general assembly, and afterwards the committee of estates and the army, who were entirely governed by the assembly, set forth a public declaration, in which they protested, "that they did not espouse any malignant quarrel or party, but fought merely on their former grounds or principles; that they disclaimed all the sins and guilt of the king, and of his house; nor would they own him or his interest, otherwise than with a subordination to God, and so far as he owned and prosecuted the cause of God, and acknowledged the sins of his house, and of his former ways."¹¹

The king, lying entirely at mercy, and having no assurance of life or liberty, farther than was agreeable to the fancy of these austere zealots, was constrained to embrace a measure, which nothing but the necessity of his affairs, and his great youth and inexperience could excuse. He issued a declaration, such as they required of him.¹² (16th Aug.)

He there gave thanks for the merciful dispensations of providence, by which he was recovered from the snare of evil counsel, had attained a full persuasion of the righteousness of the covenant, and was induced to cast himself and his interests wholly upon God. He desired to be deeply humbled and afflicted in spirit, because of his father's following wicked measures, opposing the covenant and the work of reformation, and shedding the blood of God's people throughout all his dominions. He lamented the idolatry of his mother; and the toleration of it in his father's house; a matter of great offence, he said, to all the protestant churches, and a great provocation to him who is a jealous God, visiting the sins of the father upon the children. He professed, that he would have no enemies but the enemies of the covenant; and that he detested all popery, superstition, prelacy, heresy, schism, and profaneness: and was resolved not to tolerate, much less to countenance, any of them in any of his dominions. He declared, that he should never love or favour those who had so little conscience as to follow his interests, in preference to the gospel and the kingdom of Jesus Christ. And he expressed his hope, that, whatever ill success his former guilt might have drawn upon his cause, yet now, having obtained mercy to be on God's side, and to acknowledge his own cause subordinate to that of God, divine providence would crown his arms with victory.

Still the covenanters and the clergy were diffident of the king's sincerity. The facility which he discovered in yielding whatever was required of him, made them suspect, that he regarded all his concessions merely as ridiculous farces, to which he must of necessity submit. They had another trial prepared for him. Instead of the solemnity of his coronation, which was delayed, they were resolved that he should pass through a public humiliation, and do penance before the whole people. They sent him twelve articles of repentance, which he was to acknowledge; and the king had agreed, that he would submit to this indignity. The various transgressions of his father and grandfather, together with the idolatry of his mother, are again enumerated and aggravated in these articles; and farther declarations were insisted on, that he sought the restoration of his rights for the sole advancement of religion, and in subordination to the kingdom of Christ.¹³ In short, having exalted the altar above the throne, and brought royalty under their feet, the clergy were resolved to trample on it, and vilify it, by every instance of contumely, which their present influence enabled them to impose upon their unhappy prince.

Charles in the mean time found his authority entirely annihilated, as well as his character degraded. He was consulted in no public

measure. He was not called to assist at any councils. His favour was sufficient to discredit any pretender to office or advancement. All efforts which he made to unite the opposite parties, increased the suspicion which the covenanters had entertained of him, as if he were not entirely their own. Argyle, who by subtleties and compliances, was partly led and partly governed by this wild faction, still turned a deaf ear to all advances which the king made to enter into confidence with him. *Malignants* and *Engagers* continued to be the objects of general hatred and persecution; and whoever was obnoxious to the clergy, failed not to have one or other of these epithets affixed to him. The fanaticism which prevailed, being so full of sour and angry principles, and so overcharged with various antipathies, had acquired a new object of abhorrence: these were the *Sorcerers*. So prevalent was the opinion of witchcraft, that great numbers, accused of that crime, were burnt by sentence of the magistrates throughout all parts of Scotland. In a village near Berwick, which contained only fourteen houses, fourteen persons were punished by fire;¹⁴ and it became a science, every where much studied and cultivated, to distinguish a true witch by proper trials and symptoms.¹⁵

The advance of the English army under Cromwel was not able to appease or soften the animosities among the parties in Scotland. The clergy were still resolute to exclude all but their more zealous adherents. As soon as the English parliament found that the treaty between the king and the Scots would probably terminate in an accommodation, they made preparations for a war which, they saw, would in the end prove inevitable. Cromwel, having broken the force and courage of the Irish, was sent for; and he left the command of Ireland to Ireton, who governed that kingdom in the character of deputy, and with vigilance and industry persevered in the work of subduing and expelling the natives.

It was expected that Fairfax, who still retained the name of general, would continue to act against Scotland, and appear at the head of the forces; a station for which he was well qualified, and where alone he made any figure. But Fairfax, though he had allowed the army to make use of his name in murdering their sovereign, and offering violence to the parliament, had entertained unsurmountable scruples against invading the Scots, whom he considering as zealous presbyterians, and united to England by the sacred bands of the covenant. He was farther disgusted at the extremities into which he had already been hurried; and was confirmed in his repugnance by the exhortations of his wife, who had great influence over him, and was herself much governed by the presbyterian clergy.

A committee of parliament was sent to reason with him; and Cromwel was of the number. In vain did they urge that the Scots had first broken the covenant by their invasion of England under Hamilton; and that they would surely renew their hostile attempts, if not prevented by the vigorous measures of the commonwealth. Cromwel, who knew the rigid inflexibility of Fairfax in every thing which he regarded as matter of principle, ventured to solicit him with the utmost earnestness; and he went so far as to shed tears of grief and vexation on the occasion. No one could suspect any ambition in the man who laboured so zealously to retain his general in that high office which, he knew, he himself was entitled to fill. The same warmth of temper which made Cromwel a frantic enthusiast, rendered him the most dangerous of hypocrites; and it was to this turn of mind, as much as to his courage and capacity, that he owed all his wonderful successes. By the contagious ferment of his zeal, he engaged every one to co-operate with him in his measures; and entering easily and affectionately into every part which he was disposed to act, he was enabled, even after multiplied deceptions, to cover, under a tempest of passion, all his crooked schemes and profound artifices.

Fairfax having resigned his commission, it was bestowed on Cromwel, who was declared captain-general of all the forces in England. This command, in a commonwealth, which stood entirely by arms, was of the utmost importance; and was the chief step which this ambitious politician, had yet made towards sovereign power. He immediately marched his forces, and entered Scotland with an army of 16,000 men.

The command of the Scottish army was given to Lesley, an experienced officer, who formed a very proper plan of defence. He intrenched himself in a fortified camp between Edinburgh and Leith, and took care to remove from the counties of Merse and the Lothians every thing which could serve to the subsistence of the English army. Cromwel advanced to the Scotch camp, and endeavoured by every expedient to bring Lesley to a battle: the prudent Scotchman knew that, though superior in numbers, his army was much inferior in discipline to the English; and he carefully kept himself within his intrenchments. By skirmishes and small encounters he tried to confirm the spirits of his soldiers; and he was successful in these enterprises. His army daily increased both in numbers and courage. The king came to the camp; and having exerted himself in an action, gained on the affections of the soldiery, who were more desirous of serving under a young prince of spirit and vivacity, than under a committee of talking gowan-men. The clergy were alarmed. They

ordered Charles immediately to leave the camp. They also purged it carefully of about 4000 *Malignants* and *Engagers*, whose zeal had led them to attend the king, and who were the soldiers of chief credit and experience in the nation.¹⁶ They then concluded, that they had an army composed entirely of saints, and could not be beaten. They murmured extremely, not only against their prudent general, but also against the Lord, on account of his delays in giving them deliverance;¹⁷ and they plainly told him, that if he would not save them from the English sectaries, he should no longer be their God.¹⁸ An advantage having offered itself on a Sunday, they hindered the general from making use of it, lest he should involve the nation in the guilt of sabbath-breaking.

Cromwel found himself in a very bad situation. He had no provisions but what he received by sea. He had not had the precaution to bring these in sufficient quantities; and his army was reduced to difficulties. He retired to Dunbar. Lesley followed him, and encamped on the heights of Lamermure, which overlook that town. There lay many difficult passes between Dunbar and Berwick, and of these Lesley had taken possession. The English general was reduced to extremities. He had even embraced a resolution of sending by sea all his foot and artillery to England, and of breaking through, at all hazards, with his cavalry. The madness of the Scottish ecclesiastics saved him from this loss and dishonour.

BATTLE OF DUNBAR. Sept. 3.

NIGHT and day the ministers had been wrestling with the Lord in prayer, as they termed it; and they fancied that they had at last obtained the victory. Revelations, they said, were made them, that the sectarian and heretical army, together with Agag, meaning Cromwel, was delivered into their hands. Upon the faith of these visions, they forced their general, in spite of his remonstrances, to descend into the plain, with a view of attacking the English in their retreat. Cromwel, looking through a glass, saw the enemy's camp in motion; and foretold, without the help of revelations, that the Lord had delivered them into his hands. He gave orders immediately for an attack. In this battle it was easily observed, that nothing in military actions, can supply the place of discipline and experience; and that, in the presence of real danger, where men are not accustomed to it, the fumes of enthusiasm presently dissipate, and lose their influence. The Scots, though double in number to the English, were soon put to flight, and pursued with great slaughter. The chief, if not only, resistance was made by one regiment of Highlanders, that part of the army

which was the least infected with fanaticism. No victory could be more complete than this which was obtained by Cromwel. About 3000 of the enemy were slain, and 9000 taken prisoners. Cromwel pursued his advantage, and took possession of Edinburgh and Leith. The remnant of the Scottish army fled to Stirling. The approach of the winter season, and an ague, which seized Cromwel, kept him from pushing the victory any farther.

The clergy made great lamentations, and told the Lord, that to them it was little to sacrifice their lives and estates, but to him it was a great loss to suffer his elect to be destroyed.¹⁹ They published a declaration, containing the cause of their late misfortunes. These visitations they ascribed to the manifold provocations of the king's house, of which they feared he had not yet thoroughly repented; the secret intrusion of malignants into the king's family, and even into the camp; the leaving of a most malignant and profane guard of horse, who, being sent for to be purged, came two days before the defeat, and were allowed to fight with the army; the owning of the king's quarrel by many without subordination to religion and liberty; and the carnal self-keeping of some, together with the neglect of family prayers by others.

Cromwel, having been so successful in the war of the sword, took up the pen against the Scottish ecclesiastics. He wrote them some polemical letters, in which he maintained the chief points of the independent theology. He took care likewise to retort on them their favourite argument of providence; and asked them, Whether the Lord had not declared against them? But the ministers thought that the same events, which to their enemies were judgments, to them were trials; and they replied, that the Lord had only hid his face, for a time, from Jacob. But Cromwel insisted that the appeal had been made to God in the most express and solemn manner, and that, in the fields of Dunbar, an irrevocable decision had been awarded in favour of the English army.²⁰

1651. The defeat of the Scots was regarded by the king as a fortunate event. The armies, which fought on both sides, were almost equally his enemies; and the vanquished were now obliged to give him some more authority, and apply to him for support. The parliament was summoned to meet at St. Johnstone's. Hamilton, Lauderdale, and all the Engagers were admitted into court and camp, on condition of doing public penance and expressing repentance for their late transgressions. Some Malignants also crept in under various pretences. The intended humiliation or penance of the king was changed into the ceremony of his coronation, which was performed at Scone, with great pomp and solemnity (1st Jan.) But amidst all this appearance of respect, Charles remained in the hands of the most rigid

covenanters: and though treated with civility and courtesy by Argyle, a man of parts and address, he was little better than a prisoner, and was still exposed to all the rudeness and pedantry of the ecclesiastics.

This young prince was in a situation which very ill suited his temper and disposition. All those good qualities which he possessed, his affability, his wit, his gaiety, his gentleman-like, disengaged behaviour, were here so many vices; and his love of ease, liberty, and pleasure, was regarded as the highest enormity. Though artful in the practice of courtly dissimulation, the sanctified style was utterly unknown to him; and he never could mould his deportment into that starched grimace, which the covenanters required as an infallible mark of conversion. The duke of Buckingham was the only English courtier allowed to attend him; and, by his ingenious talent for ridicule, he had rendered himself extremely agreeable to his master. While so many objects of derision surrounded them, it was difficult to be altogether insensible to the temptation, and wholly to suppress the laugh. Obligated to attend from morning to night at prayers and sermons, they betrayed evident symptoms of weariness or contempt. The clergy never could esteem the king sufficiently regenerated: and by continual exhortations, remonstrances, and reprimands, they still endeavoured to bring him to a juster sense of his spiritual duty.

The king's passion for the fair could not altogether be restrained. He had once been observed using some familiarities with a young woman; and a committee of ministers was appointed to reprove him for a behaviour so unbecoming a covenanted monarch. The spokesman of the committee, one Douglas, began with a severe aspect, informed the king that great scandal had been given to the godly, enlarged on the heinous nature of sin, and concluded with exhorting his majesty, whenever he was disposed to amuse himself, to be more careful, for the future, in shutting the windows. This delicacy, so unusual to the place and to the character of the man, was remarked by the king; and he never forgot the obligation.

The king, shocked at all the indignities, and, perhaps, still more tired with all the formalities, to which he was obliged to submit, made an attempt to regain his liberty. General Middleton, at the head of some royalists, being proscribed by the covenanters, kept in the mountains, expecting some opportunity of serving his master. The king resolved to join this body. He secretly made his escape from Argyle, and fled towards the Highlands. Colonel Montgomery, with a troop of horse, was sent in pursuit of him. He overtook the king, and persuaded him to return. The royalists being too weak to support him, Charles was the more easily induced to comply. This incident procured

him afterwards better treatment and more authority; the covenanters being afraid of driving him, by their rigours, to some desperate resolution. Argyle renewed his courtship to the king, and the king, with equal dissimulation, pretended to repose great confidence in Argyle. He even went so far as to drop hints of his intention to marry that nobleman's daughter: but he had to do with a man too wise to be seduced by such gross artifices.

As soon as the season would permit, the Scottish army was assembled under Hamilton and Lesley; and the king was allowed to join the camp. The forces of the western counties, notwithstanding the imminent danger which threatened their country, were resolute not to unite their cause with that of an army which admitted any engagers or malignants among them; and they kept in a body apart under Ker. They called themselves the *Protesters*, and their frantic clergy declaimed equally against the king and against Cromwel. The other party were denominated *Resolutioners*; and these distinctions continued long after to divide and agitate the kingdom.

Charles encamped at the Torwood; and his generals resolved to conduct themselves by the same cautious maxims which, so long as they were embraced, had been successful during the former campaign. The town of Stirling lay at his back, and the whole north supplied him with provisions. Strong intrenchments defended his front; and it was in vain that Cromwel made every attempt to bring him to an engagement. After losing much time, the English general sent Lambert over the frith into Fife, with an intention of cutting off the provisions of the enemy. Lambert fell upon Holborne and Brown, who commanded a party of the Scots, and put them to rout with great slaughter. Cromwel also passed over with his whole army; and lying at the back of the king, made it impossible for him to keep his post any longer.

Charles, reduced to despair, embraced a resolution worthy of a young prince contending for empire. Having the way open, he resolved immediately to march into England; where he expected that all his friends, and all those who were discontented with the present government, would flock to his standard. He persuaded the generals to enter into the same views; and with one consent the army, to the number of 14,000 men, rose from their camp, and advanced by great journeys towards the south.

Cromwel was surprised at this movement of the royal army. Wholly intent on offending his enemy, he had exposed his friends to imminent danger, and saw the king with numerous forces marching into England; where his presence, from the general hatred which prevailed against the parliament, was capable of producing some great revolution. But if this

conduct was an oversight in Cromwel, he quickly repaired it by his vigilance and activity. He dispatched letters to the parliament, exhorting them not to be dismayed at the approach of the Scots: he sent orders every where for assembling forces to oppose the king: he ordered Lambert with a body of cavalry to hang upon the rear of the royal army, and infest their march: and he himself, leaving Monk with 7000 men to complete the reduction of Scotland, followed the king with all the expedition possible.

Charles found himself disappointed in his expectations of increasing his army. The Scots, terrified at the prospect of so hazardous an enterprise, fell off in great numbers. The English presbyterians, having no warning given them of the king's approach, were not prepared to join him. To the royalists, this measure was equally unexpected; and they were farther deterred from joining the Scottish army, by the orders which the committee of ministers had issued, not to admit any, even in this desperate extremity, who would not subscribe the covenant. The earl of Derby, leaving the Isle of Man, where he had hitherto maintained his independence, was employed in levying forces in Cheshire and Lancashire; but was soon suppressed by a party of the parliamentary army. And the king, when he arrived at Worcester, found that his forces, extremely harassed by a hasty and fatiguing march, were not more numerous than when he rose from his camp in the Torwood.

THE BATTLE OF WORCESTER. Sept. 3.

SUCH is the influence of established government, that the commonwealth, though founded in usurpation the most unjust and unpopular, had authority sufficient to raise every where the militia of the counties; and these, united with the regular forces, bent all their efforts against the king. With an army of about 30,000 men, Cromwel fell upon Worcester; and attacking it on all sides, and meeting with little resistance, except from duke Hamilton and general Middleton, broke in upon the disordered royalists. The streets of the city were strewn with dead. Hamilton, a nobleman of bravery and honour, was mortally wounded; Massey wounded and taken prisoner; the king himself, having given many proofs of personal valour, was obliged to fly. The whole Scottish army was either killed or taken prisoners. The country people, inflamed with national antipathy, put to death the few that escaped from the field of battle.

THE KING'S ESCAPE.

THE king left Worcester at six o'clock in the afternoon, and, without halting, travelled

about twenty-six miles, in company with fifty or sixty of his friends. To provide for his safety, he thought it best to separate himself from his companions; and he left them without communicating his intentions to any of them. By the earl of Derby's directions, he went to Boscobel, a lone house in the borders of Staffordshire, inhabited by one Penderell, a farmer. To this man Charles intrusted himself. The man had dignity of sentiments much above his condition; and though death was denounced against all who concealed the king, and a great reward promised to any one who should betray him, he professed and maintained unshaken fidelity. He took the assistance of his four brothers, equally honourable with himself; and having clothed the king in a garb like their own, they led him into the neighbouring wood, put a bill into his hand, and pretended to employ themselves in cutting faggots. Some nights he lay upon straw in the house, and fed on such homely fare as it afforded. For a better concealment, he mounted upon an oak, where he sheltered himself among the leaves and branches for twenty four hours. He saw several soldiers pass by. All of them were intent in search of the king; and some expressed, in his hearing, their earnest wishes of seizing him. This tree was afterwards denominated the *Royal Oak*; and for many years was regarded by the neighbourhood with great veneration.

Charles was in the middle of the kingdom, and could neither stay in his retreat, nor stir a step from it, without the most imminent danger. Fear, hopes, and party zeal, interested multitudes to discover him; and even the smallest indiscretion of his friends might prove fatal. Having joined lord Wilmot, who was skulking in the neighbourhood, they agreed to put themselves into the hands of colonel Lane, a zealous royalist, who lived at Bentley, not many miles distant. The king's feet were so hurt by walking about in heavy boots or country men's shoes which did not fit him, that he was obliged to mount on horseback; and he travelled in this situation to Bentley, attended by the Penderells, who had been so faithful to him. Lane formed a scheme for his journey to Bristol, where, it was hoped, he would find a ship, in which he might transport himself. He had a near kinswoman, Mrs. Norton, who lived within three miles of that city, and was with child, very near the time of her delivery. He obtained a pass (for, during those times of confusion, this precaution was requisite) for his sister Jane Lane and a servant, to travel towards Bristol, under pretence of visiting and attending her relation. The king rode before the lady, and personated the servant.

When they arrived at Norton's, Mrs. Lane pretended that she had brought along as her servant a poor lad, a neighbouring farmer's son,

who was ill of an ague; and she begged a private room for him, where he might be quiet. Though Charles kept himself retired in this chamber, the butler, one Pope, soon knew him: the king was alarmed, but made the butler promise that he would keep the secret from every mortal, even from his master; and he was faithful to his engagement.

No ship, it was found, would, for a month, set sail from Bristol, either for France or Spain; and the king was obliged to go elsewhere for a passage. He intrusted himself to colonel Windham of Dorsetshire, an affectionate partisan of the royal family: the natural effect of the long civil wars, and of the furious rage to which all men were wrought up in their different factions, was, that every one's inclinations and affections were thoroughly known, and even the courage and fidelity of most men, by the variety of incidents, had been put to trial. The royalists too had, many of them, been obliged to make concealments in their houses for themselves, their friends, or more valuable effects; and the art of eluding the enemy had been frequently practised. All these circumstances proved favourable to the king in the present exigency. As he often passed through the hands of catholics, the *Priest's Hole*, as they called it, the place where they were obliged to conceal their persecuted priests, was sometimes employed for sheltering their distressed sovereign.

Windham, before he received the king, asked leave to intrust the important secret to his mother, his wife, and four servants, on whose fidelity he could rely. Of all these, no one proved wanting either in honour or discretion. The venerable old matron, on the reception of her royal guest, expressed the utmost joy, that having lost, without regret, three sons and one grand-child in defence of his father, she was now reserved, in her declining years, to be instrumental in the preservation of himself. Windham told the king, that sir Thomas, his father, in the year 1636, a few days before his death, called to him his five sons. "My children," said he, "we have hitherto seen serene and quiet times under our three last sovereigns: but I must now warn you to prepare for clouds and storms. Factions arise on every side, and threaten the tranquillity of your native country. But whatever happens, do you faithfully honour and obey your prince, and adhere to the crown. I charge you never to forsake the crown, though it should hang upon a bush." "These last words," added Windham, "made such impressions on all our breasts, that the many afflictions of these sad times could never efface their indelible characters." From innumerable instances, it appears how deep-rooted in the minds of the English gentry of that age was the principle of loyalty to their sovereign; that noble and

generous principle, inferior only in excellence to the more enlarged and more enlightened affection towards a legal constitution. But during those times of military usurpation, these passions were the same.

The king continued several days in Windham's house; and all his friends in Britain, and in every part of Europe, remained in the most anxious suspense with regard to his fortunes: no one could conjecture whether he were dead or alive; and the report of his death being generally believed, happily relaxed the vigilant search of his enemies. Trials were made to procure a vessel for his escape; but he still met with disappointments. Having left Windham's house, he was obliged again to return to it. He passed through many other adventures; assumed different disguises; in every step was exposed to imminent perils; and received 'daily proofs of uncorrupted fidelity' and attachment. The sagacity of a smith, who remarked that his horse's shoes had been made in the north, and not in the west, as he pretended, once deterred him; and he narrowly escaped. At Shoreham in Sussex a vessel was at last found, in which he embarked. He had been known to so many, that if he had not set sail in that critical moment it had been impossible for him to escape. After one and forty days concealment, he arrived safely at Fescamp in Normandy. No less than forty men and women had at different times been privy to his concealment and escape.⁸¹

The battle of Worcester afforded Cromwell what he called his *crowning mercy*.⁸² So elated was he, that he intended to have knighted, in the field two of his generals, Lambert and Fleetwood; but was dissuaded by his friends from exerting this act of regal authority. His power and ambition were too great to brook submission to the empty name of a republic, which stood chiefly by his influence, and was supported by his victories. How early he entertained thoughts of taking into his hand the reins of government is uncertain. We are only assured, that he now discovered to his intimate friends these aspiring views; and even expressed a desire of assuming the rank of king, which he had contributed, with such seeming zeal, to abolish.⁸³

THE COMMONWEALTH.

THE little popularity and credit acquired by the republicans, farther stimulated the ambition of this enterprising politician. These men had not that large thought, nor those comprehensive views, which might qualify them for acting the part of legislators: selfish aims and bigotry chiefly engrossed their attention. They carried their rigid austerity so far as to enact a law, declaring fornication, after the first act, to be felony, without benefit of

clergy.⁸⁴ They made small progress in that important work, which they professed to have so much at heart, the settling of a new model of representation, and fixing a plan of government. The nation began to apprehend, that they intended to establish themselves as a perpetual legislature, and to confine the whole power to 60 or 70 persons, who called themselves the parliament of the commonwealth of England. And while they pretended to bestow new liberties upon the nation, they found themselves obliged to infringe even the most valuable of those which, through time immemorial, had been transmitted from their ancestors. Not daring to intrust the trials of treason to juries, who, being chosen indifferently from among the people, would have been little favourable to the commonwealth, and would have formed their verdict upon the ancient laws, they eluded that noble institution, by which the government of this island has ever been so much distinguished. They had evidently seen in the trial of Lilburn what they could expect from juries. This man, the most turbulent, but the most upright and courageous, of human kind, was tried for a transgression of the new statute of treasons; but though he was plainly guilty, he was acquitted, to the great joy of the people. Westminster-hall, nay the whole city, rang with shouts and acclamations. Never did any established power receive so strong a declaration of its usurpation and invalidity; and from no institution besides the admirable one of juries, could be expected this magnanimous effort.

That they might not for the future be exposed to affronts, which so much lessened their authority, the parliament erected a high court of justice, which was to receive indictments from the council of state. This court was composed of men devoted to the ruling party, without name or character, determined to sacrifice every thing to their own safety or ambition. Colonel Eusebius Andrews and colonel Walter Slingsby were tried by this court for conspiracies, and condemned to death. They were royalists, and refused to plead before so illegal a jurisdiction. Love, Gibbons, and other presbyterians, having entered into a plot against the republic, were also tried, condemned, and executed. The earl of Derby, sir Timothy Featherstone, Bemboe, being taken prisoners after the battle of Worcester, were put to death by sentence of a court martial; a method of proceeding declared illegal by that very petition of right, for which a former parliament had so strenuously contended, and which, after great efforts, they had extorted from the king.

Excepting their principles of toleration, the maxims by which the republicans regulated ecclesiastical affairs no more prognosticated any durable settlement, than those by which they conducted their civil concerns. The pres-

byterian model of congregation, classes, and assemblies, was not allowed to be finished: it seemed even the intention of many leaders in the parliament to admit of no established church, and to leave every one, without any guidance of the magistrate, to embrace whatever sect, and to support whatever clergy, were most agreeable to him.

The parliament went so far as to make some approaches in one province, to their independent model. Almost all the clergy of Wales being ejected as malignants, itinerant preachers with small salaries were settled, not above four or five in each county; and these, being furnished with horses at the public expence, hurried from place to place, and carried, as they expressed themselves, the glad tidings of the gospel.⁹⁵ They were all of them men of the lowest birth and education, who had deserted mechanical trades, in order to follow this new profession. And in this particular, as well as in their wandering life, they pretended to be more truly apostolical.

The republicans, both by the turn of their disposition, and by the nature of the instruments which they employed, were better qualified for acts of force and vigour, than for the slow and deliberate work of legislation. Notwithstanding the late wars and bloodshed, and the present factions, the power of England had never, in any period, appeared so formidable to the neighbouring kingdoms as it did at this time, in the hands of the commonwealth. A numerous army served equally to retain every one in implicit subjection to established authority, and to strike a terror into foreign nations. The power of peace and war was lodged in the same hands with that of imposing taxes; and no difference of views, among the several members of the legislature, could any longer be apprehended. The present impositions, though much superior to what had ever formerly been experienced, were in reality moderate, and what a nation so opulent could easily bear. The military genius of the people had, by the civil contests, been roused from its former lethargy; and excellent officers were formed in every branch of service. The confusion, into which all things had been thrown, had given opportunity to men of low stations to break through their obscurity, and to raise themselves by their courage to commands which they were well qualified to exercise, but to which their birth could never have entitled them. And while so great a power was lodged in such active hands, no wonder the republic was successful in all its enterprises.

Blake, a man of great courage and a generous disposition, the same person who had defended Lyme and Taunton with such unshaken obstinacy against the late king, was made an admiral; and though he had hitherto been accustomed only to land-service, into

which too he had not entered till past fifty years of age, he soon raised the naval glory of the nation to a greater height than it had ever attained in any former period. A fleet was put under his command, and he received orders to pursue prince Rupert, to whom the king had intrusted that squadron which had deserted to him. Rupert took shelter in Kin-sale; and escaping thence, fled towards the coast of Portugal. Blake pursued and chased him into the Tagus, where he intended to make an attack upon him. But the king of Portugal, moved by the favour which, throughout all Europe attended the royal cause, refused Blake admittance and aided prince Rupert in making his escape. To be revenged of this partiality, the English admiral made prize of twenty Portuguese ships richly laden; and he threatened still farther vengeance. The king of Portugal, reading so dangerous a foe to his newly-acquired dominion, and sensible of the unequal contest in which he was engaged, made all possible submissions to the haughty republic, and was at last admitted to negotiate the renewal of his alliance with England. Prince Rupert, having lost a great part of his squadron on the coast of Spain, made sail towards the West Indies. His brother, prince Maurice, was there shipwrecked in a hurricane. Every where this squadron subsisted by privateering, sometimes on English, sometimes on Spanish vessels. And Rupert at last returned to France, where he disposed of the remnants of his fleet, together with his prizes.

All the settlements in America, except New England, which had been planted entirely by the puritans, adhered to the royal party, even after the settlement of the republic; and sir George Ayscue was sent with a squadron to reduce them. Bermudas, Antigua, Virginia, were soon subdued. Barbadoes, commanded by lord Willoughby of Parham, made some resistance, but was at last obliged to submit.

With equal ease were Jersey, Guernsey, Scilly, and the Isle of Man, brought under subjection to the republic; and the sea, which had been much infested by privateers from these islands, was rendered safe to the English commerce. The countess of Derby defended the Isle of Man; and with great reluctance yielded to the necessity of surrendering to the enemy. This lady, a daughter of the illustrious house of Trimoille in France, had, during the civil war, displayed a manly courage by her obstinate defence of Latham-house against the parliamentary forces; and she retained the glory of being the last person in the three kingdoms, and in all their dependent dominions, who submitted to the victorious commonwealth. [See note (R) at the end of this Vol.]

Ireland and Scotland were now entirely sub-

jected and reduced to tranquillity. Ireton, the new deputy of Ireland, at the head of a numerous army, 30,000 strong, prosecuted the work of subduing the revolted Irish; and he defeated them in many encounters, which, though of themselves of no great moment, proved fatal to their declining cause. He punished without mercy all the prisoners who had any hand in the massacres. Sir Phelim O'Neale, among the rest, was, some time after, brought to the gibbet, and suffered an ignominious death, which he had so well merited by his inhuman cruelties. Limerick, a considerable town, still remained in the hands of the Irish; and Ireton, after a vigorous siege, made himself master of it. He was here infected with the plague, and shortly after died; a memorable personage, much celebrated for his vigilance, industry, capacity, even for the strict execution of justice in that unlimited command which he possessed in Ireland. He was observed to be inflexible in all his purposes; and it was believed by many, that he was animated with a sincere and passionate love of liberty, and never could have been induced by any motive to submit to the smallest appearance of regal government. Cromwell appeared to be much affected by his death; and the republicans, who reposed great confidence in him, were inconsolable. To show their regard for his merit and services, they bestowed an estate of two thousand pounds a-year on his family, and honoured him with a magnificent funeral at the public charge. Though the established government was but the mere shadow of a commonwealth, yet was it beginning by proper arts to encourage that public spirit which no other species of civil polity is ever able fully to inspire.

The command of the army in Ireland devolved on lieutenant-general Ludlow. The civil government of the island was intrusted to commissioners. Ludlow continued to push the advantages against the Irish, and every where obtained an easy victory. That unhappy people, disgusted with the king on account of those violent declarations against them and their religion, which had been extorted by the Scots, applied to the king of Spain, to the duke of Lorraine, and found assistance nowhere. Clanricarde, unable to resist the prevailing power, made submissions to the parliament, and retired into England, where he soon after died. He was a steady catholic; but a man much respected by all parties.

The successes which attended Monk in Scotland were no less decisive. That able general laid siege to Stirling-castle; and though it was well provided for defence, it was soon surrendered to him. He there became master of all the records of the kingdom; and he sent them to England. The earl of Leven, the earl of Crawford, lord Ogilvy, and other noble-

men, having met near Perth, in order to concert measures for raising a new army, were suddenly set upon by colonel Alured, and most of them taken prisoners. Sir Philip Musgrave, with some Scots, being engaged at Dumfries in a like enterprise, met with a like fate. Dundee was a town well fortified, supplied with a good garrison under Lunnisdun, and full of all the rich furniture, the plate, and money of the kingdom, which had been sent thither as to a place of safety. Monk appeared before it; and having made a breach, gave a general assault. He carried the town; and following the example and instructions of Cromwell, put all the inhabitants to the sword, in order to strike a general terror into the kingdom. Warned by this example, Aberdeen, St. Andrew's, Inverness, and other towns and forts, yielded, of their own accord, to the enemy. Argyle made his submissions to the English commonwealth; and excepting a few royalists, who remained some time in the mountains, under the earl of Glencairn, lord Balcarras, and general Middleton, that kingdom which had hitherto, through all ages, by means of its situation, poverty, and valour, maintained its independence, was reduced to total subjection.

The English parliament sent sir Harry Vane, St. John, and other commissioners, to settle Scotland. These men, who possessed little of the true spirit of liberty, knew how to maintain the appearance of it; and they required the voluntary consent of all the counties and towns of this conquered kingdom, before they would unite them into the same commonwealth with England. The clergy protested; because, they said, this incorporating union would draw along with it a subordination of the church to the state in the things of Christ.⁸⁶ English judges, joined to some Scottish, were appointed to determine all causes; justice was strictly administered; order and peace maintained; and the Scots, freed from the tyranny of the ecclesiastics, were not much dissatisfied with the present government. [*See note (S) at the end of this Vol.*] The prudent conduct of Monk, a man who possessed a capacity for the arts both of peace and war, served much to reconcile the minds of men, and to allay their prejudices.

DUTCH WAR. 1652.

By the total reduction and pacification of the British dominions, the parliament had leisure to look abroad, and to exert their vigour in foreign enterprises. The Dutch were the first that felt the weight of their arms.

During the life of Frederic Henry, prince of Orange, the Dutch republic had maintained a neutrality in the civil wars of England, and had never interposed, except by her good

offices, between the contending parties. When William, who had married an English princess, succeeded to his father's commands and authority,²⁷ the States, both before and after the execution of the late king, were accused of taking steps more favourable to the royal cause, and of betraying a great prejudice against that of the parliament. It was long before the envoy of the English commonwealth could obtain an audience of the states-general. The murderers of Dorislaus were not pursued with such rigour as the parliament expected. And much regard had been paid to the king, and many good offices performed to him, both by the public, and by men of all ranks in the United Provinces.

After the death of William prince of Orange,²⁸ which was attended with the depression of his party and the triumph of the Dutch republicans, the parliament thought that the time was now favourable for cementing a closer confederacy with the States. St. John, chief justice, who was sent over to the Hague, had entertained the idea of forming a kind of coalition between the two republics, which would have rendered their interests totally inseparable; but fearing that so extraordinary a project would not be relished, he contented himself with dropping some hints of it, and openly went no farther than to propose a strict defensive alliance between England and the United Provinces, such as has now, for near seventy years, taken place between these friendly powers.²⁹ But the States, who were unwilling to form a nearer confederacy with a government, whose measures were so obnoxious, and whose situation seemed so precarious, offered only to renew the former alliances with England. And the haughty St. John, disgusted with this disappointment, as well as incensed at many affronts, which had been offered him with impunity, by the retainers of the Palatine and Orange families, and indeed by the populace in general, returned into England, and endeavoured to foment a quarrel between the republics.

The movements of great states are often directed by as slender springs as those of individuals. Though war with so considerable a naval power as the Dutch, who were in peace with all their other neighbours, might seem dangerous to the yet unsettled commonwealth, there were several motives which at this time induced the English parliament to embrace hostile measures. Many of the members thought that a foreign war would serve as a pretence for continuing the same parliament, and delaying the new model of a representative, with which the nation had so long been flattered. Others hoped that the war would furnish a reason for maintaining, some time longer, that numerous standing army, which was so much complained of.³⁰ On the other

hand, some, who dreaded the increasing power of Cromwel, expected that the great expence of naval armaments would prove a motive for diminishing the military establishment. To divert the attention of the public from domestic quarrels towards foreign transactions, seemed, in the present disposition of men's minds, to be good policy. The superior power of the English commonwealth, together with its advantages of situation, promised success; and the parliamentary leaders hoped to gain many rich prizes from the Dutch, to distress and sink their flourishing commerce, and by victories to throw a lustre on their own establishment, which was so new and unpopular. All these views, enforced by the violent spirit of St. John, who had great influence over Cromwel, determined the parliament to change the purposed alliance into a furious war against the United Provinces.

To cover these hostile intentions, the parliament, under pretence of providing for the interests of commerce, embraced such measures as they knew would give disgust to the States. They framed the famous act of navigation; which prohibited all nations from importing into England in their bottoms any commodity which was not the growth and manufacture of their own country. By this law, though the terms in which it was conceived were general, the Dutch were principally affected; because their country produces few commodities, and they subsist chiefly by being the general carriers and factors of Europe. Letters of reprisal were granted to several merchants, who complained of injuries, which, they pretended, they had received from the States; and above eighty Dutch ships fell into their hands, and were made prizes. The cruelties committed on the English at Amboyna, which were certainly enormous, but which seemed to be buried in oblivion by a thirty years' silence, were again made the ground of complaint. And the allowing the murderers of Dorislaus to escape, and the conniving at the insults to which St. John had been exposed, were represented as symptoms of an unfriendly, if not a hostile, disposition in the States.

The States, alarmed at all these steps, sent orders to their ambassadors to endeavour the renewal of the treaty of alliance, which had been broken off by the abrupt departure of St. John. Not to be unprepared, they equipped a fleet of a hundred and fifty sail, and took care, by their ministers at London, to inform the council of state of that armament. This intelligence, instead of striking terror into the English republic, was considered as a menace, and farther confirmed the parliament in their hostile resolutions. The minds of men in both states were every day more irritated against each other; and it was not long before these humours broke forth into action.

Tromp, an admiral of great renown, received from the States the command of a fleet of forty-two sail, in order to protect the Dutch navigation against the privateers of the English. He was forced, by stress of weather, as he alleged, to take shelter in the road of Doyer, where he met with Blake, who commanded an English fleet much inferior in number. Who was the aggressor in the action, which ensued between these two admirals, both of them men of such prompt and fiery dispositions, it is not easy to determine; since each of them sent to his own state a relation totally opposite in all its circumstances to that of the other, and yet supported by the testimony of every captain in his fleet. Blake pretended that, having given a signal to the Dutch admiral to strike, Tromp, instead of complying, fired a broadside at him. Tromp asserted that he was preparing to strike, and that the English admiral, nevertheless, began hostilities. It is certain that the admiralty of Holland, who are distinct from the council of state, had given Tromp no orders to strike, but had left him to his own discretion with regard to that vain but much contested ceremonial. They seemed willing to introduce the claim of an equality with the new commonwealth, and to interpret the formal respect payed the English flag as a deference due only to the monarchy. This circumstance forms a strong presumption against the narrative of the Dutch admiral. The whole Orange party, it must be remarked, to which Tromp was suspected to adhere, were desirous of a war with England.

Blake, though his squadron consisted only of fifteen vessels, reinforced, after the battle began, by eight under captain Bourne, maintained the fight with bravery for five hours, and sunk one ship of the enemy, and took another. Night parted the combatants, and the Dutch fleet retired towards the coast of Holland. The populace of London were enraged, and would have insulted the Dutch ambassadors, who lived at Chelsea, had not the council of state sent guards to protect them.

When the States heard of this action, of which the consequences were easily foreseen, they were in the utmost consternation. They immediately dispatched Paw, pensionary of Holland, as their ambassador extraordinary to London, and ordered him to lay before the parliament the narrative which Tromp had sent of the late encounter. They entreated them, by all the bands of their common religion and common liberties, not to precipitate themselves into hostile measures, but to appoint commissioners, who should examine every circumstance of the action, and clear up the truth, which lay in obscurity. And they pretended that they had given no orders to their admiral to offer any violence to the English, but would severely punish him, if they found,

upon inquiry, that he had been guilty of an action which they so much disapproved. The imperious parliament would hearken to none of these reasons or remonstrances. Elated by the numerous successes which they had obtained over their domestic enemies, they thought that every thing must yield to their fortunate arms; and they gladly seized the opportunity, which they sought, of making war upon the States. They demanded that, without any farther delay or inquiry, reparation should be made for all the damages which the English had sustained. And when this demand was not complied with, they dispatched orders for commencing war against the United Provinces.

Blake sailed northwards with a numerous fleet, and fell upon the herring busses, which were escorted by twelve men of war. All these he either took or dispersed. Tromp followed him with a fleet of above a hundred sail. When these two admirals were within sight of each other, and preparing for battle, a furious storm attacked them. Blake took shelter in the English harbours. The Dutch fleet was dispersed, and received great damage.

Sir George Ayscue, though he commanded only forty ships, according to the English accounts, engaged, near Plymouth (16th Aug.), the famous de Ruiter, who had under him fifty ships of war, with thirty merchantmen. The Dutch ships were indeed of inferior force to the English. De Ruiter, the only admiral in Europe who has attained a renown equal to that of the greatest general, defended himself so well, that Ayscue gained no advantage over him. Night parted them in the greatest heat of the action. De Ruiter next day sailed off with his convoy. The English fleet had been so shattered in the fight, that it was not able to pursue.

Near the coast of Kent, Blake, seconded by Bourne and Pen, met a Dutch squadron (28th Oct.), nearly equal in numbers, commanded by de Witte and de Ruiter. A battle was fought, much to the disadvantage of the Dutch. Their rear admiral was boarded and taken. Two other vessels were sunk, and one blown up. The Dutch next day made sail towards Holland.

The English were not so successful in the Mediterranean. Van Galen, with much superior force, attacked captain Badily, and defeated him. He bought, however, his victory with the loss of his life.

Sea-fights are seldom so decisive as to disable the vanquished from making head in a little time against the victors. Tromp, seconded by de Ruiter, met, near the Goodwins, with Blake (29th Nov.), whose fleet was inferior to the Dutch, but who resolved not to decline the combat. A furious battle commenced, where the admirals on both sides, as well as the

inferior officers and seamen, exerted great bravery. In this action the Dutch had the advantage. Blake himself was wounded. The Garland and Bonaventure were taken. Two ships were burned, and one sunk; and night came opportunely to save the English fleet. After this victory, Tromp, in a bravado, fixed a broom to his main-mast; as if he were resolved to sweep the sea entirely of all English vessels.

1653. Great preparations were made in England, in order to wipe off this disgrace. A gallant fleet of eighty sail was fitted out. Blake commanded, and Dean under him, together with Monk, who had been sent for from Scotland. When the English lay off Portland (18th Feb.), they descried, near break of day, a Dutch fleet of seventy-six vessels sailing up the channel, along with a convoy of 300 merchantmen, who had received orders to wait at the isle of Rhé, till the fleet should arrive to escort them. Tromp, and, under him, de Ruiter, commanded the Dutch. This battle was the most furious that had yet been fought between these warlike and rival nations. Three days was the combat continued with the utmost rage and obstinacy; and Blake, who was victor, gained not more honour than Tromp, who was vanquished. The Dutch admiral made a skilful retreat, and saved all the merchant ships, except thirty. He lost, however, eleven ships of war, had 2000 men slain, and near 1500 taken prisoners. The English, though many of their ships were extremely shattered, had but one sunk. Their slain were not much inferior in number to those of the enemy.

All these successes of the English were chiefly owing to the superior size of their vessels; an advantage which all the skill and bravery of the Dutch admirals could not compensate. By means of ship-money, an imposition which had been so much complained of, and in some respects with reason, the late king had put the navy into a situation which it had never attained in any former reign; and he ventured to build ships of a size which was then unusual. But the misfortunes which the Dutch met with in battle, were small in comparison of those which their trade sustained from the English. Their whole commerce by the channel was cut off: even that to the Baltic was much infested by English privateers. Their fisheries were totally suspended. A great number of their ships, above 1600, had fallen into the hands of the enemy. And all this distress they suffered, not for any national interest or necessity; but from vain points of honour and personal resentments, of which it was difficult to give a satisfactory account to the public. They resolved, therefore, to gratify the pride of the parliament, and to make some advances towards peace. They met not, however, with a favour-

able reception; and it was not without pleasure that they learned the dissolution of that haughty assembly, by the violence of Cromwel; an event from which they expected a more prosperous turn to their affairs.

DISSOLUTION OF THE PARLIAMENT.

THE zealous republicans in the parliament had not been the chief or first promoters of the war; but when it was once entered upon, they endeavoured to draw from it every possible advantage. On all occasions they set up the fleet in opposition to the army, and celebrated the glory and successes of their naval armaments. They insisted on the intolerable expence to which the nation was subjected, and urged the necessity of diminishing it, by a reduction of the land forces. They had ordered some regiments to serve on board the fleet, in the quality of marines. And Cromwel, by the whole train of their proceedings, evidently saw that they had entertained a jealousy of his power and ambition, and were resolved to bring him to a subordination under their authority. Without scruple or delay he resolved to prevent them.

On such firm foundations was built the credit of this extraordinary man, that though a great master of fraud and dissimulation, he judged it superfluous to employ any disguise in conducting this bold enterprise. He summoned a general council of officers; and immediately found that they were disposed to receive whatever impressions he was pleased to give them. Most of them were his creatures, had owed their advancement to his favour, and relied entirely upon him for their future preferment. The breach being already made between the military and civil powers, when the late king was seized at Holdenby; the general officers regarded the parliament as at once their creature and their rival; and thought that they themselves were entitled to share among them those offices and riches, of which its members had so long kept possession. Harrison, Rich, Overton, and a few others who retained some principle, were guided by notions so extravagant, that they were easily deluded into measures the most violent and most criminal. And the whole army had already been guilty of such illegal and atrocious actions, that they could entertain no farther scruple with regard to any enterprise which might serve their selfish or fanatical purposes.

In the council of officers it was presently voted to frame a remonstrance to the parliament. After complaining of the arrears due to the army, they there desired the parliament to reflect how many years they had sitten, and what professions they had formerly made of their intentions to new-model the representative, and establish successive parliaments,

who might bear the burthen of national affairs, from which they themselves would gladly, after so much danger and fatigue, be at last relieved. They confessed that the parliament had achieved great enterprises, and had surmounted mighty difficulties; yet was it an injury, they said, to the rest of the nation to be excluded from bearing any part in the service of their country. It was now full time for them to give place to others; and they therefore desired them, after settling a council who might execute the laws during the interval, to summon a new parliament, and establish that free and equal government, which they had so long promised to the people.

The parliament took this remonstrance in ill part, and made a sharp reply to the council of officers. The officers insisted on their advice; and by mutual altercation and opposition the breach became still wider between the army and the commonwealth. Cromwel, finding matters ripe for his purpose, called a council of officers (20th April), in order to come to a determination with regard to the public settlement. As he had here many friends, so had he also some opponents. Harrison having assured the council that the general sought only to pave the way for the government of Jesus and his saints, major Streater briskly replied, that Jesus ought then to come quickly: for if he delayed it till after Christmas, he would come too late; he would find his place occupied. While the officers were in debate, colonel Ingoldsbey informed Cromwel, that the parliament was sitting, and had come to a resolution not to dissolve themselves, but to fill up the house by new elections; and was at that very time engaged in deliberations with regard to this expedient. Cromwel in a rage immediately hastened to the house, and carried a body of 300 soldiers along with him. Some of them he placed at the door, some in the lobby, some on the stairs. He first addressed himself to his friend St. John, and told him that he had come with a purpose of doing what grieved him to the very soul, and what he had earnestly with tears besought the Lord not to impose upon him: but there was a necessity, in order to the glory of God and good of the nation. He sat down for some time, and heard the debate. He beckoned Harrison, and told him that he now judged the parliament ripe for a dissolution. "Sir," said Harrison, "the work is very great and dangerous; I desire you seriously to consider, before you engage in it." "You say well," replied the general; and thereupon sat still about a quarter of an hour. When the question was ready to be put, he said again to Harrison, "This is the time: I must do it." And suddenly starting up, he loaded the parliament with the vilest reproaches, for their tyranny, ambition, oppression, and robbery of the public. Then stamping with his

foot, which was a signal for the soldiers to enter; "For shame," said he to the parliament, "get you gone; give place to honest men; to those who will more faithfully discharge their trust. You are no longer a parliament: I tell you, you are no longer a parliament. The Lord has done with you: he has chosen other instruments for carrying on his work." Sir Harry Vane exclaiming against this proceeding, he cried with a loud voice, "O! sir Harry Vane, sir Harry Vane! the Lord deliver me from sir Harry Vane!" Taking hold of Martin by the cloak, "Thou art a whore master," said he. To another, "Thou art an adulterer." To a third, "Thou art a drunkard and a glutton!" "And thou an extortioner," to a fourth. He commanded a soldier to seize the mace. "What shall we do with this bauble? here, take it away. It is you," said he, addressing himself to the house, "that have forced me upon this. I have sought the Lord night and day, that he would rather slay me than put me upon this work." Having commanded the soldiers to clear the hall, he himself went out the last, and ordering the doors to be locked, departed to his lodgings in Whitehall.

In this furious manner, which so well denotes his genuine character, did Cromwel, without the least opposition, or even murmur, annihilate that famous assembly which had filled all Europe with the renown of its actions, and with astonishment at its crimes, and whose commencement was not more ardently desired by the people than was its final dissolution. All parties now reaped successively the melancholy pleasure of seeing the injuries which they had suffered, revenged on their enemies; and that too by the same arts which had been practised against them. The king had, in some instances, stretched his prerogative beyond its just bounds; and aided by the church had well nigh put an end to all the liberties and privilege of the nation. The presbyterians checked the progress of the court and clergy, and excited, by cant and hypocrisy, the populace, first to tumults, then to war, against the king, the peers, and all the royalists. No sooner had they reached the pinnacle of grandeur, than the independents, under the appearance of still greater sanctity, instigated the army against them, and reduced them to subjection. The independents, amidst their empty dreams of liberty, or rather of dominion, were oppressed by the rebellion of their own servants, and found themselves at once exposed to the insults of power and hatred of the people. By recent, as well as all ancient, example, it was become evident that illegal violence, with whatever pretences it may be covered, and whatever object it may pursue, must inevitably end at last in the arbitrary and despotic government of a single person.

NOTES.

- 1 Their names were, the earls of Denbigh, Mulgrave, Pembroke, Salisbury, lords Grey and Fairfax, Lisle, Rolle, St. John, Wilde, Bradshaw, Cromwel, Skippon, Pickering, Massam, Haselrig, Harrington, Vane jun. Danvers, Armine, Mildmay, Constable, Pennington, Wilson, Whitlocke, Martin, Ludlow, Stapleton, Heringham, Wallop, Hutchinson, Bond, Popham, Valentine, Walton, Scot, Puresfoy, Jones.
- 2 In 1643.
- 3 In 1646.
- 4 Whitlocke.
- 5 History of Independency, part II.
- 6 Parl. Hist. vol. xix. p. 136, 176.
- 7 Parl. Hist. vol. xix. p. 165.
- 8 Burnet Clarendon.
- 9 Sir Edward Walker's Historical Discourses, p. 159.
- 10 Sir Edward Walker's Historical Discourses, p. 160.
- 11 Sir Edward Walker's Historical Discourses, p. 165, 167.
- 12 Sir Edward Walker's Historical Discourses, p. 170.
- 13 Sir E. Walker's Hist. Discourses, p. 178.
- 4 Whitlocke, p. 404, 408.
- 15 Whitlocke, p. 369, 418.
- 16 Sir Edward Walker, p. 165.
- 17 Sir Edward Walker, p. 168.
- 18 Whitlocke, p. 443.
- 19 Sir Edward Walker.
- 20 This is the best of Cromwel's wretched compositions that remains, and we shall here extract a passage out of it. "You say you have not so learned Christ as to hang the equity of our cause upon events. We could wish that blindness had not been upon your eyes to all those marvellous dispensations, which God had wrought lately in England. But did not you solemnly appeal and pray? Did not we do so too? And ought not we and you to think, with fear and trembling, of the hand of the great God, in this mighty and strange appearance of his, but can slightly call it an event? Were not both your and our expectations renewed from time to time, while we waited on God, to see which way he would manifest himself upon our appeals? And shall we, after all these our prayers, fastings, tears, expectations, and solemn appeals, call these more events? The Lord pity you. Surely we
- 21 fear, because it has been a merciful and a gracious deliverance to us.
- 22 "I beseech you in the bowels of Christ, search after the mind of the Lord in it towards you, and we shall help you by our prayers that you may find it. For yet, if we know our heart at all, our bowels do in Christ yearn after the godly in Scotland." *Thurloe*, vol. I. p. 158.
- 23 *Heath's Chronicle*, p. 301.
- 24 *Parliamentary History*, vol. xx. p. 47.
- 25 Whitlocke, p. 523.
- 26 *Stobell*, p. 121. A bill was introduced into the house against painting, patches, and other immodest dress of women; but it did not pass. *Parl. Hist.* vol. xix. p. 365.
- 27 Dr. J. Walker's Attempt, p. 147, et seq.
- 28 Whitlocke, p. 496. *Heath's Chronicle*, p. 307.
- 27 In 1647.
- 28 On October 17, 1650.
- 29 *Thurloe*, vol. I. p. 182.
- 30 We are told in the life of sir Henry Vane, that that famous republican opposed the Dutch war, and that it was the military gentlemen chiefly who supported that measure.

CHAPTER LXI.

Cromwel's Birth and private Life.—Barebone's Parliament.—Cromwel made Protector.—Peace with Holland.—A new Parliament.—Insurrection of the Royalists.—State of Europe.—War with Spain.—Jamaica conquered.—Success and Death of Admiral Blake.—Domestic Administration of Cromwel.—Humble Petition and Advice.—Dunkirk taken.—Sickness of the Protector—His Death, and Character.

CROMWEL'S BIRTH AND PRIVATE LIFE.

OLIVER CROMWEL, in whose hands the dissolution of the parliament had left the whole power, civil and military, of three kingdoms, was born at Huntingdon, the last year of the former century, of a good family; though he himself, being the son of a second brother, inherited but a small estate from his father. In the course of his education he had been sent to the university; but his genius was found little fitted for the calm and elegant occupations of learning, and he made small proficiencies in his studies. He even threw himself into a dissolute and disorderly course of life; and he consumed in gaming, drinking, debauchery, and country riots, the more early years of his youth, and dissipated part of his patrimony. All of a sudden the spirit of reformation seized him; he married, affected a grave and composed behaviour, entered into all the zeal and rigour of the puritanical party, and offered to restore to every one whatever sums he had formerly gained by gaming. The same vehemence of temper, which had transported him into the extremes of pleasure, now distinguished his religious habits. His house was the resort of all the zealous clergy of the party; and his hospitality, as well as his liberalities to the silenced and deprived ministers, proved as chargeable as his former debaucheries. Though he had acquired a tolerable fortune by a maternal uncle, he found his affairs so injured by his expences, that he was obliged to take a farm at St. Ives, and apply himself, for some years, to agriculture as a profession. But this expedient served rather to involve him in farther debts and difficulties. The long prayers which he said to his family in the morning, and again in the afternoon, consumed his own time and that of his ploughmen; and he reserved no leisure for the care of his temporal affairs. His active mind, superior to the low occupations to which he was condemned, preyed upon itself; and he indulged his imagination in visions, illuminations, revelations; the great nourishment of that hypocondriacal temper, to which he was ever subject. Urged by his wants and his piety, he had made a party with Hamblen, his near kinsman, who was pressed only by the latter motive, to transport

himself into New England, now become the retreat of the more zealous among the puritanical party; and it was an order of council which obliged them to disembark and remain in England. The earl of Bedford, who possessed a large estate in the Fen Country, near the isle of Ely, having undertaken to drain these morasses, was obliged to apply to the king; and by the powers of the prerogative, he got commissioners appointed, who conducted that work, and divided the new-acquired land among the several proprietors. He met with opposition from many, among whom Cromwel distinguished himself; and this was the first public opportunity which he had met with of discovering the factious zeal and obstinacy of his character.

From accident and intrigue he was chosen by the town of Cambridge member of the long parliament. His domestic affairs were then in great disorder: and he seemed not to possess any talents which could qualify him to rise in that public sphere into which he was now at last entered. His person was ungraceful, his dress slovenly, his voice untuneable, his elocution homely, tedious, obscure, and embarrassed. The fervour of his spirit frequently prompted him to rise in the house; but he was not heard with attention: his name, for above two years, is not to be found oftener than twice in any committee; and those committees, into which he was admitted, were chosen for affairs which would more interest the zealots than the men of business. In comparison of the eloquent speakers and fine gentlemen of the house, he was entirely overlooked; and his friend Hamblen alone was acquainted with the depth of his genius, and foretold that, if a civil war should ensue, he would soon rise to eminence and distinction.

Cromwel himself seems to have been conscious where his strength lay; and partly from that motive, partly from the uncontrollable fury of his zeal, he always joined that party which pushed every thing to extremities against the king. He was active in promoting the famous remonstrance, which was the signal for all the ensuing commotions; and when, after a long debate, it was carried by a small majority, he told lord Falkland, that if the question had been lost, he was resolved next day to have

converted into ready money the remains of his fortune, and immediately to have left the kingdom. Nor was this resolution, he said, peculiar to himself: many others of his party he knew to be equally determined.

He was no less than forty-three years of age, when he first embraced the military profession; and by force of genius, without any master, he soon became an excellent officer; though perhaps he never reached the fame of a consummate commander. He raised a troop of horse; fixed his quarters in Cambridge; exerted great severity towards that university, which zealously adhered to the royal party; and showed himself a man who would go all lengths in favour of that cause which he had espoused. He would not allow his soldiers to perplex their heads with those subtleties of fighting by the king's authority against his person, and of obeying his majesty's commands signified by both houses of parliament: he plainly told them that, if he met the king in battle, he would fire a pistol in his face as readily as against any other man. His troop of horse he soon augmented to a regiment; and he first instituted that discipline and inspired that spirit which rendered the parliamentary armies in the end victorious. "Your troops," said he to Hamblen, according to his own account,¹ "are most of them old decayed serving men and tapsters, and such kind of fellows; the king's forces are composed of gentlemen's younger sons and persons of good quality. And do you think that the mean spirits of such base and low fellows as ours will ever be able to encounter gentlemen that have honour and courage and resolution in them? You must get men of spirit, and take it not ill that I say, of a spirit that is likely to go as far as gentlemen will go, or else I am sure you will still be beaten, as you have hitherto been, in every encounter." He did as he proposed. He enlisted the sons of freeholders and farmers. He carefully invited into his regiment all the zealous fanatics throughout England. When they were collected in a body, their enthusiastic spirit still rose to a higher pitch. Their colonel, from his own natural character, as well as from policy, was sufficiently inclined to increase the flame. He preached, he prayed, he fought, he punished, he rewarded. The wild enthusiasm, together with valour and discipline, still propagated itself; and all men cast their eyes on so pious and so successful a leader. From low commands he rose with great rapidity to be really the first, though in appearance only the second, in the army. By fraud and violence, he soon rendered himself the first in the state. In proportion to the increase of his authority, his talents always seemed to expand themselves; and he displayed every day new abilities, which had lain dormant till the very emergence by which they were called forth

into action. All Europe stood astonished to see a nation so turbulent and unruly, who, for some doubtful encroachments on their privileges, had dethroned and murdered an excellent prince, descended from a long line of monarchs, now at last subdued and reduced to slavery by one, who, a few years before, was no better than a private gentleman, whose name was not known in the nation, and who was little regarded even in that low sphere to which he had always been confined.

The indignation, entertained by the people, against an authority, founded on such manifest usurpation, was not so violent as might naturally be expected. Congratulatory addresses, the first of the kind, were made to Cromwell by the fleet, by the army, even by many of the chief corporations and counties of England; but especially by the several congregations of saints, dispersed throughout the kingdom.² The royalists, though they could not love the man who had embued his hands in the blood of their sovereign, expected more lenity from him than from the jealous and imperious republicans, who had hitherto governed. The presbyterians were pleased to see those men, by whom they had been outwitted and expelled, now in their turn expelled and outwitted by their own servant; and they applauded him for this last act of violence upon the parliament. These two parties composed the bulk of the nation, and kept the people in some tolerable temper. All men likewise, harassed with wars and factions, were glad to see any prospect of settlement. And they deemed it less ignominious to submit to a person of such admirable talents and capacity than to a few ignoble enthusiastic hypocrites, who, under the name of a republic, had reduced them to a cruel subjection.

The republicans, being dethroned by Cromwell, were the party whose resentment he had the greatest reason to apprehend. That party, besides the independents, contained two sets of men, who are seemingly of the most opposite principles, but who were then united by a similitude of genius and of character. The first and most numerous were the millenarians, or fifth-monarchy men, who insisted, that, dominion being founded in grace, all distinction in magistracy must be abolished, except what arose from piety and holiness; who expected suddenly the second coming of Christ upon earth; and who pretended, that the saints in the mean while, that is, themselves, were alone entitled to govern. The second were the deists, who had no other object than political liberty, who denied entirely the truth of revelation, and insinuated, that all the various sects, so heated against each other, were alike founded in folly and in error. Men of such daring geniuses were not contented with the ancient and legal forms of civil government, but challenged a degree of freedom beyond what

they expected ever to enjoy under any monarchy. Martin, Challoner, Harrington, Sidney, Wildman, Nevil, were esteemed the heads of this small division.

BAREBONE'S PARLIAMENT.

THE deists were perfectly hated by Cromwel, because he had no hold of enthusiasm, by which he could govern or over-reach them; he therefore treated them with great rigour and disdain, and usually denominated them the *heathens*. As the millenarians had a great interest in the army, it was much more important for him to gain their confidence; and their size of understanding afforded him great facility in deceiving them. Of late years it had been so usual a topic of conversation to discourse of parliaments and councils and senates, and the soldiers themselves had been so much accustomed to enter into that spirit, that Cromwel thought it requisite to establish something which might bear the face of a commonwealth. He supposed that God, in his providence, had thrown the whole right, as well as power, of government into his hands; and without any more ceremony, by the advice of his council of officers, he sent summons to a hundred and twenty-eight persons of different towns and counties of England, to five of Scotland, to six of Ireland. He pretended, by his sole act and deed, to devolve upon these the whole authority of the state. This legislative power they were to exercise during fifteen months, and they were afterwards to choose the same number of persons, who might succeed them in that high and important office.

There were great numbers at that time, who made it a principle always to adhere to any power which was uppermost, and to support the established government. This maxim is not peculiar to the people of that age; but what may be esteemed peculiar to them, is, that there prevailed a hypocritical phrase for expressing so prudential a conduct: it was called a waiting upon providence. When providence, therefore, was so kind as to bestow on these men, now assembled together, the supreme authority, they must have been very ungrateful, if, in their turn, they had been wanting in complaisance towards her. They immediately (4th July) voted themselves a parliament; and having their own consent, as well as that of Oliver Cromwel, for their legislative authority. They now proceeded very gravely to the exercise of it.

In this notable assembly were some persons of the rank of gentlemen; but the far greater part were low mechanics; fifth-monarchy men, anabaptists, antinomians, independents; the very dregs of the fanatics. They began with seeking God by prayer: this office was performed by eight or ten *gifted* men of the as-

sembly; and with so much success, that, according to the confession of all, they had never before, in any of their devotional exercises, enjoyed so much of the holy spirit as was then communicated to them.³ Their hearts were, no doubt, dilated when they considered the high dignity, to which they supposed themselves exalted. They had been told by Cromwel, in his first discourse, that he never looked to see such a day, when Christ should be so owned.⁴ They thought it, therefore, their duty to proceed to a thorough reformation, and to pave the way for the reign of the Redeemer, and for that great work which, it was expected, the Lord was to bring forth among them. All fanatics being consecrated by their own fond imaginations, naturally bear an antipathy to the ecclesiastics, who claim a peculiar sanctity, derived merely from their office and priestly character. This parliament took into consideration the abolition of the clerical function, as savouring of popery; and the taking away of titles, which they called a relict of Judaism. Learning also and the universities were deemed heathenish and unnecessary: the common law was denominated a badge of the conquest and of Norman slavery; and they threatened the lawyers with a total abrogation of their profession. Some steps were even taken towards an abolition of the chancery,⁵ the highest court of judicature in the kingdom; and the Mosaic law was intended to be established as the sole system of English jurisprudence.⁶

Of all the extraordinary schemes adopted by these legislators, they had not leisure to finish any, except that which established the legal solemnization of marriage by the civil magistrate alone, without the interposition of the clergy. They found themselves exposed to the derision of the public. Among the fanatics of the house, there was an active member, much noted for his long prayers, sermons, and harangues. He was a leather-seller in London, his name *Praise-god Barebone*. This ridiculous name, which seems to have been chosen by some poet or allegorist to suit so ridiculous a personage, struck the fancy of the people; and they commonly affixed to this assembly the appellation of Barebone's parliament.⁷

The Dutch ambassadors endeavoured to enter into negotiation with this parliament; but, though protestants and even presbyterians, they met with a bad reception from those who pretended to a sanctity so much superior. The Hollanders were regarded as worldly-minded men, intent only on commerce and industry; whom it was fitting the saints should first extirpate, ere they undertook that great work, to which they believed themselves destined by providence, of subduing Antichrist, the man of sin, and extending to the uttermost bounds of the earth the kingdom of the Redeemer.⁸ The ambassadors finding themselves proscribed, not

as enemies of England, but of Christ, remained in astonishment, and knew not which was most to be admired, the implacable spirit or egregious folly of these pretended saints.

Cromwel began to be ashamed of his legislature. If he ever had any design in summoning so preposterous an assembly beyond amusing the populace and the army, he had intended to alarm the clergy and lawyers; and he had so far succeeded as to make them desire any other government, which might secure their professions, now brought in danger by these desperate fanatics. Cromwel himself was dissatisfied, that the parliament, though they had derived all their authority from him, began to pretend power from the Lord,⁹ and to insist already on their divine commission. He had been careful to summon in his writs several persons entirely devoted to him. By concert, these met early; and it was mentioned by some among them, that the sitting of this parliament any longer would be of no service to the nation. They hastened, (12th Dec.) therefore, to Cromwel, along with Rouse, their speaker; and, by a formal deed of assignment, restored into his hands that supreme authority which they had so lately received from him. General Harrison and about twenty more remained in the house; and that they might prevent the reign of the saints from coming to an untimely end, they placed one Moyer in the chair, and began to draw up protests. They were soon interrupted by colonel White, with a party of soldiers. He asked them what they did there? "We are seeking the Lord," said they. "Then you may go elsewhere," replied he: "for to my certain knowledge, he has not been here these many years."

CROMWEL MADE PROTECTOR.

The military being now in appearance, as well as in reality, the sole power which prevailed in the nation, Cromwel thought fit to indulge a new fancy: for he seems not to have had any deliberate plan in all these alterations. Lambert, his creature, who, under the appearance of obsequiousness to him, indulged an unbounded ambition, proposed in a council of officers to adopt another scheme of government, and to temper the liberty of a commonwealth by the authority of a single person, who should be known by the appellation of protector. Without delay, he prepared what was called *the instrument of government*, containing the plan of this new legislature; and, as it was supposed to be agreeable to the general, it was immediately voted by the council of officers. Cromwel was declared protector; and with great solemnity installed in that high office.

So little were these men endowed with the spirit of legislation, that they confessed, or rather boasted, that they had employed only four

days in drawing this instrument, by which the whole government of three kingdoms was pretended to be regulated and adjusted to all succeeding generations. There appears no difficulty in believing them; when it is considered how crude and undigested a system of civil polity they endeavoured to establish. The chief articles of the instrument are these: A council was appointed, which was not to exceed twenty-one, nor be less than thirteen persons. These were to enjoy their office during life or good behaviour; and in case of a vacancy, the remaining members named three, of whom the protector chose one. The protector was appointed supreme magistrate of the commonwealth: in his name was all justice to be administered; from him were all magistracy and honours derived; he had the power of pardoning all crimes, excepting murder and treason; to him the benefit of all forfeitures devolved. The right of peace, war, and alliance, rested in him; but in these particulars he was to act by the advice and with the consent of his council. The power of the sword was vested in the protector jointly with the parliament, while it was sitting, or with the council of state in the intervals. He was obliged to summon a parliament every three years, and allow them to sit five months, without adjournment, prorogation, or dissolution. The bills, which they passed, were to be presented to the protector for his assent; but if within twenty days it were not obtained, they were to become laws by the authority alone of parliament. A standing army for Great Britain and Ireland was established, of 20,000 foot and 10,000 horse; and funds were assigned for their support. These were not to be diminished without consent of the protector; and in this article alone he assumed a negative. During the intervals of parliament, the protector and council had the power of enacting laws, which were to be valid till the next meeting of parliament. The chancellor, treasurer, admiral, chief governors of Ireland and Scotland, and the chief justices of both the benches, must be chosen with the approbation of parliament; and in the intervals, with the approbation of the council, to be afterwards ratified by parliament. The protector was to enjoy his office during life; and on his death, the place was immediately to be supplied by the council. This was the instrument of government enacted by the council of officers, and solemnly sworn to by Oliver Cromwel. The council of state, named by the instrument, were fifteen men entirely devoted to the protector, and by reason of the opposition among themselves in party and principles, not likely ever to combine against him.

Cromwel said that he accepted the dignity of protector, merely that he might exert the duty of a constable, and preserve peace in the nation. Affairs indeed were brought to that

pass, by the furious animosities of the several factions, that the extensive authority and even arbitrary power of some first magistrate was become a necessary evil, in order to keep the people from relapsing into blood and confusion. The independents were too small a party ever to establish a popular government, or intrust the nation, where they had so little interest, with the free choice of its representatives. The presbyterians had adopted the violent maxims of persecution; incompatible at all times with the peace of society, much more with the wild zeal of those numerous sects which prevailed among the people. The royalists were so much enraged by the injuries which they had suffered, that the other prevailing parties would never submit to them, who, they knew, were enabled merely by the execution of the ancient laws, to take severe vengeance upon them. Had Cromwel been guilty of no crime but this temporary usurpation, the plea of necessity and public good, which he alleged, might be allowed, in every view, a reasonable excuse for his conduct.

During the variety of ridiculous and distracted scenes, which the civil government exhibited in England, the military force was exerted with vigour, conduct, and unanimity; and never did the kingdom appear more formidable to all foreign nations. The English fleet, consisting of an hundred sail, and commanded by Monk and Dean, and under them by Pen and Lawson, met, near the coast of Flanders, with the Dutch fleet, equally numerous, and commanded by Tromp. The two republics were not inflamed by any national antipathy, and their interests very little interfered; yet few battles have been disputed with more fierce and obstinate courage than were those many naval combats, which were fought during this short, but violent, war. The desire of remaining sole lords of the ocean animated these States to an honourable emulation against each other. After a battle of two days, in the first of which Dean was killed, the Dutch inferior in the size of their ships, were obliged, with great loss, to retire into their harbours. Blake, towards the end of the fight, joined his countrymen with eighteen sail. The English fleet lay off the coast of Holland, and totally interrupted the commerce of that republic.

The ambassador, whom the Dutch had sent over to England, gave them hopes of peace. But, as they could obtain no cessation of hostilities, the States, unwilling to suffer any longer the loss and dishonour of being blockaded by the enemy, made the utmost efforts to recover their injured honour. Never on any occasion did the power and vigour of that republic appear in a more conspicuous light. In a few weeks, they had repaired and manned their fleet; and they equipped some ships of a larger size than any which they had hitherto

sent to sea. Tromp issued out, determined again to fight the victors, and to die rather than to yield the contest. He met with the enemy (29th July), commanded by Monk; and both sides immediately rushed into the combat. Tromp, gallantly animating his men, with his sword drawn, was shot through the heart with a musket ball. This event alone decided the battle in favour of the English. Though near thirty ships of the Dutch were sunk and taken, they little regarded this loss compared with that of their brave admiral.

PEACE WITH HOLLAND.

MEANWHILE the negotiations of peace were continually advancing. The States, overwhelmed with the expence of the war, terrified by their losses, and mortified by their defeats, were extremely desirous of an accommodation with an enemy whom they found, by experience, too powerful for them. The king having shown an inclination to serve on board their fleet; though they expressed their sense of the honour intended them, they declined an offer which might inflame the quarrel with the English commonwealth. The great obstacle to the peace was found not to be any animosity on the part of the English; but on the contrary a desire too earnest of union and confederacy. Cromwel had revived the chimerical scheme of a coalition with the United Provinces; a total conjunction of government, privileges, interests, and councils.....1654. This project appeared so wild to the States, that they wondered any man of sense could ever entertain it; and they refused (15th April) to enter into conferences with regard to a proposal, which could serve only to delay any practicable scheme of accommodation. The peace was at last signed by Cromwel, now invested with the dignity of protector; and it proves sufficiently, that the war had been impolitic, since, after the most signal victories, no terms more advantageous could be obtained. A defensive league was made between the two republics. They agreed each of them to banish the enemies of the other; those who had been concerned in the massacre of Amboyna were to be punished, if any remained alive; the honour of the flag was yielded to the English; eighty-five thousand pounds were stipulated to be paid by the Dutch East India company for losses which the English company had sustained; and the island of Polorone in the East Indies was promised to be ceded to the latter.

Cromwel, jealous of the connexions between the royal family and that of Orange, insisted on a separate article; that neither the young prince nor any of his family should ever be invested with the dignity of Stadholder. The province of Holland, strongly prejudiced against that office, which they esteemed dangerous to

liberty, secretly ratified this article. The protector, knowing that the other provinces would not be induced to make such a concession, was satisfied with this security.

The Dutch war being successful, and the peace reasonable, brought credit to Cromwel's administration. An act of justice, which he exercised at home, gave likewise satisfaction to the people; though the regularity of it may perhaps appear somewhat doubtful. Don Pantaleon Sa, brother to the Portuguese ambassador, and joined with him in the same commission,¹⁰ fancying himself to be insulted, came upon the exchange, armed and attended by several servants. By mistake, he fell on a gentleman, whom he took for the person that had given him the offence; and having butchered him with many wounds, he and all his attendants took shelter in the house of the Portuguese ambassador, who had connived at this base enterprise.¹¹ The populace surrounded the house, and threatened to set fire to it. Cromwel sent a guard, who seized all the criminals. They were brought to trial: and notwithstanding the opposition of the ambassador, who pleaded the privileges of his office, don Pantaleon was executed on Tower-hill. The laws of nations were here plainly violated: but the crime committed by the Portuguese gentleman was to the last degree atrocious; and the vigorous chastisement of it, suiting so well the undaunted character of Cromwel, was universally approved of at home and admired among foreign nations. The situation of Portugal obliged that court to acquiesce; and the ambassador soon after signed with the protector a treaty of peace and alliance, which was very advantageous to the English commerce.

Another act of severity, but necessary in his situation, was, at the very same time, exercised by the protector, in the capital punishment of Gerard and Vowel, two royalists who were accused of conspiring against his life. He had erected a high court of justice for their trial; an infringement of the ancient laws, which at this time was become familiar, but one to which no custom or precedent could reconcile the nation. Juries were found altogether unmanageable. The restless Lilburn, for new offences, had been brought to a new trial; and had been acquitted with new triumph and exultation. If no other method of conviction had been devised during this illegal and unpopular government, all its enemies were assured of entire impunity.

A NEW PARLIAMENT.

The protector had occasion to observe the prejudices entertained against his government, by the disposition of the parliament, which he summoned on the third of September, that day of the year on which he gained his two great

victories of Dunbar and Worcester, and which he always regarded as fortunate for him. It must be confessed, that, if we are left to gather Cromwel's intentions from his instrument of government, it is such a motley piece, that we cannot easily conjecture, whether he seriously meant to establish a tyranny or a republic. On one hand, a first magistrate, in so extensive a government, seemed necessary both for the dignity and tranquillity of the state; and the authority, which he assumed as protector, was, in some respects, inferior to the prerogatives, which the laws intrusted and still intrust to the king. On the other hand, the legislative power, which he reserved to himself and council, together with so great an army, independent of the parliament, were bad prognostics of his intention to submit to a civil and legal constitution. But if this were not his intention, the method in which he distributed and conducted the elections, being so favourable to liberty, forms an inconsistency which is not easily accounted for. He deprived of their right of election all the small boroughs, places the most exposed to influence and corruption. Of 400 members, which represented England, 270 were chosen by the counties. The rest were elected by London, and the more considerable corporations. The lower populace too, so easily guided or deceived, were excluded from the elections: an estate of 200 pounds value was necessary to entitle any one to a vote. The elections of this parliament were conducted with perfect freedom; and, excepting that such of the royalists as had borne arms against the parliament and all their sons were excluded, a more fair representation of the people could not be desired or expected. Thirty members were returned from Scotland; as many from Ireland.

The protector seems to have been disappointed, when he found that all these precautions, which were probably nothing but covers to his ambition, had not procured him the confidence of the public. Though Cromwel's administration was less odious to every party than that of any other party, yet was it entirely acceptable to none. The royalists had been instructed by the king to remain quiet, and to cover themselves under the appearance of republicans; and they found in this latter faction such inveterate hatred against the protector, that they could not wish for more zealous adversaries to his authority. It was maintained by them, that the pretence of liberty and a popular election was but a new artifice of this great deceiver, in order to lay asleep the deluded nation, and give himself leisure to rivet their chains more securely upon them: that in the instrument of government he openly declared his intention of still retaining the same mercenary army, by whose assistance he had subdued the ancient established government,

and who would with less scruple obey him, in overturning, whenever he should please to order them, that new system, which he himself had been pleased to model: that being sensible of the danger and uncertainty of all military government, he endeavoured to internix some appearance, and but an appearance, of civil administration, and to balance the army by a seeming consent of the people: that the absurd trial, which he had made, of a parliament, elected by himself, appointed perpetually to elect their successors, plainly proved, that he aimed at nothing but temporary expedients, was totally averse to a free republican government, and possessed not that mature and deliberate reflection, which could qualify him to act the part of a legislator: that his imperious character, which had betrayed itself in so many incidents, could never seriously submit to legal limitations; nor would the very image of popular government be longer upheld than while conformable to his arbitrary will and pleasure: and that the best policy was to oblige him to take off the mask at once; and either submit entirely to that parliament, which he had summoned, or, by totally rejecting its authority, leave himself no resource but in his seditious and enthusiastic army.

In prosecution of these views, the parliament, having heard the protector's speech, three hours long,¹² and having chosen Lenthall for their speaker, immediately entered into a discussion of the pretended instrument of government, and of that authority which Cromwel, by the title of protector, had assumed over the nation. The greatest liberty was used in arraigning this new dignity; and even the personal character and conduct of Cromwel, escaped not without censure. The utmost that could be obtained by the officers and by the court party, for so they were called, was to protract the debate by arguments and long speeches, and prevent the decision of a question, which, they were sensible, would be carried against them by a great majority. The protector, surprised and enraged at this refractory spirit in the parliament, which however he had so much reason to expect, sent for them to the painted chamber, and with an air of great authority inveighed against their conduct. He told them that nothing could be more absurd than for them to dispute his title; since the same instrument of government which made them a parliament, had invested him with the protectorship; and some points in the new constitution were supposed to be fundamentals, and were not on any pretence to be altered or disputed; that among these were the government of the nation by a single person and a parliament, their joint authority over the army and militia, the succession of new parliaments and liberty of conscience; and that with regard to these particulars, there was reserved to him

a negative voice, to which, in the other circumstances of government, he confessed himself no wise entitled.

1655. The protector now found the necessity of exacting a security which, had he foreseen the spirit of the house, he would with better grace have required at their first meeting.¹³ He obliged the members to sign a recognition of his authority, and an engagement not to propose or consent to any alteration in the government, as it was settled in a single person and a parliament; and he placed guards at the door of the house, who allowed none but subscribers to enter. Most of the members, after some hesitation, submitted to this condition; but retained the same refractory spirit which they had discovered in their first debates. The instrument of government was taken in pieces, and examined, article by article, with the most scrupulous accuracy: very free topics were advanced with the general approbation of the house: and during the whole course of their proceedings, they neither sent up one bill to the protector, nor took any notice of him. Being informed that conspiracies were entered into between the members and some malcontent officers, he hastened to the dissolution of so dangerous an assembly. (22nd Jan.) By the instrument of government, to which he had sworn, no parliament could be dissolved till it had sitted five months; but Cromwel pretended, that a month contained only twenty-eight days, according to the method of computation practised in paying the fleet and army. The full time, therefore, according to this reckoning, being elapsed, the parliament was ordered to attend the protector, who made them a tedious, confused, angry harangue, and dismissed them. Were we to judge of Cromwel's capacity by this, and indeed by all his other compositions, we should be apt to entertain no very favourable idea of it. But in the great variety of human geniuses, there are some which, though they see their object clearly and distinctly in general, yet, when they come to unfold its parts by discourse or writing, lose that luminous conception which they had before attained. All accounts agree in ascribing to Cromwel, a tiresome, dark, unintelligible elocution, even when he had no intention to disguise his meaning: yet no man's actions were ever, in such a variety of difficult incidents, more decisive and judicious.

The electing of a discontented parliament is a proof of a discontented nation: the angry and abrupt dissolution of that parliament is always sure to increase the general discontent. The members of this assembly, returning to their counties, propagated that spirit of mutiny which they had exerted in the house. Sir Harry Vane and the old republicans, who maintained the indissoluble authority of the long parliament, encouraged the murmurs against the

present usurpation; though they acted so cautiously as to give the protector no handle against them. Wildman and some others of that party carried still farther their conspiracies against their protector's authority. The royalists, observing this general ill-will towards the establishment, could no longer be retained in subjection; but fancied that every one who was dissatisfied like them, had also embraced the same views and inclinations. They did not consider that the old parliamentary party, though many of them were displeased with Cromwel, who had dispossessed them of their power, were still more apprehensive of any success to the royal cause; whence, besides a certain prospect of the same consequence, they had so much reason to dread the severest vengeance for their past transgressions.

INSURRECTION OF THE ROYALISTS.

March 11.

In concert with the king a conspiracy was entered into by the royalists throughout England, and a day of general rising appointed. Information of this design was conveyed to Cromwel. The protector's administration was extremely vigilant. Thurloe, his secretary, had spies every where. Manning, who had access to the king's family, kept a regular correspondence with him. And it was not difficult to obtain intelligence of a confederacy, so generally diffused among a party who valued themselves more on zeal and courage, than on secrecy and sobriety. Many of the royalists were thrown into prison. Others, on the approach of the day, were terrified with the danger of the undertaking, and remained at home. In one place alone the conspiracy broke into action. Penruddock, Groves, Jones, and other gentlemen of the west, entered Salisbury with about 200 horse; at the very time when the sheriff and judges were holding the assizes. These they made prisoners; and they proclaimed the king. Contrary to their expectations, they received no accession of force; so prevalent was the terror of the established government. Having in vain wandered about for some time, they were totally discouraged; and one troop of horse was able at last to suppress them. The leaders of the conspiracy, being taken prisoners, were capitally punished. The rest were sold for slaves, and transported to Barbadoes.

The easy subduing of this insurrection, which, by the boldness of the undertaking, struck at first a great terror into the nation, was a singular felicity to the protector; who could not, without danger, have brought together any considerable body of his mutinous army, in order to suppress it. The very insurrection itself he regarded as a fortunate event; since it proved the reality of those conspiracies,

which his enemies, on every occasion, represented as mere fictions, invented to colour his tyrannical severities. He resolved to keep no longer any terms with the royalists, who, though they were not perhaps the most implacable of his enemies, were those whom he could oppress under the most plausible pretences, and who met with least countenance and protection from his adherents. He issued an edict, with the consent of his council, for exacting the tenth penny from that whole party; in order, as he pretended, to make them pay the expences to which their mutinous disposition continually exposed the public. Without regard to compositions, articles of capitulation, or acts of indemnity, all the royalists, however harassed with former oppressions, were obliged anew to redeem themselves by great sums of money, and many of them were reduced by these multiplied disasters to extreme poverty. Whoever was known to be disaffected, or even lay under any suspicion, though no guilt could be proved against him, was exposed to the new exaction.

In order to raise this imposition, which commonly passed by the name of decimation, the protector instituted twelve major-generals; and divided the whole kingdom of England into so many military jurisdictions.¹⁴ These men, assisted by commissioners, had power to subject whom they pleased to decimation, to levy all the taxes imposed by the protector and his council, and to imprison any person who should be exposed to their jealousy or suspicion; nor was there any appeal from them but to the protector himself and his council. Under colour of these powers, which were sufficiently exorbitant, the major-generals exercised an authority still more arbitrary, and acted as if absolute masters of the property and person of every subject. All reasonable men now concluded, that the very mask of liberty was thrown aside, and that the nation was for ever subject to military and despotic government, exercised not in the legal manner of European nations, but according to the maxims of eastern tyranny. Not only the supreme magistrate owed his authority to illegal force and usurpation: he had parcelled out the people into so many subdivisions of slavery, and had delegated to his inferior ministers the same unlimited authority which he himself had so violently assumed.

STATE OF EUROPE.

A GOVERNMENT totally military and despotic is almost sure, after some time, to fall into impotence and languor: but when it immediately succeeds a legal constitution, it may, at first, to foreign nations, appear very vigorous and active, and may exert with more unanimity that power, spirit, and riches, which

had been acquired under a better form. It seems now proper, after so long an interval, to look abroad to the general state of Europe, and to consider the measures which England at this time embraced in its negotiations with the neighbouring princes. The moderate temper and unwarlike genius of the two last princes, the extreme difficulties under which they laboured at home, and the great security which they enjoyed from foreign enemies, had rendered them negligent of the transactions on the continent; and England, during their reigns, had been in a manner overlooked in the general system of Europe. The bold and restless genius of the protector led him to extend his alliances and enterprises to every part of Christendom; and partly from the ascendancy of his magnanimous spirit, partly from the situation of foreign kingdoms, the weight of England, even under its most legal and bravest princes, was never more sensibly felt than during this unjust and violent usurpation.

A war of thirty years, the most signal and most destructive that had appeared in modern annals, was at last finished in Germany;¹⁵ and by the treaty of Westphalia, were composed those fatal quarrels which had been excited by the palatine's precipitate acceptance of the crown of Bohemia. The young palatine was restored to part of his dignities and of his dominions.¹⁶ The rights, privileges, and authority, of the several members of the Germanic body were fixed and ascertained: sovereign princes and free states were in some degree reduced to obedience under laws: and by the valour of the heroic Gustavus, the enterprises of the active Richelieu, the intrigues of the artful Mazarine, was in part effected, after an infinite expence of blood and treasure, what had been fondly expected and loudly demanded from the feeble efforts of the pacific James, seconded by the scanty supplies of his jealous parliaments.

Sweden, which had acquired by conquest large dominions in the north of Germany, was engaged in enterprises which promised her, from her success and valour, still more extensive acquisitions on the side both of Poland and of Denmark. Charles X. who had mounted the throne of that kingdom after the voluntary resignation of Christina, being stimulated by the fame of Gustavus as well as by his own martial disposition, carried his conquering arms to the south of the Baltic, and gained the celebrated battle of Warsaw, which had been obstinately disputed during the space of three days. The protector, at the time his alliance was courted by every power in Europe, anxiously courted the alliance of Sweden; and he was fond of forming a confederacy with a protestant power of such renown, even though it threatened the whole north with conquest and subjection.

The transactions of the parliament and pro-

ector with France had been various and complicated. The emissaries of Richelieu had furnished fuel to the flame of rebellion, when it first broke out in Scotland; but after the conflagration had diffused itself, the French court, observing the materials to be of themselves sufficiently combustible, found it unnecessary any longer to animate the British malcontents to an opposition of their sovereign.

On the contrary, they offered their mediation for composing these intestine disorders; and their ambassadors, from decency, pretended to act in concert with the court of England, and to receive directions from a prince with whom their master was connected with so near an affinity. Meanwhile Richelieu died, and soon after him the French king, Louis XIII. leaving his son an infant four years old, and his widow, Anne of Austria, regent of the kingdom. Cardinal Mazarine succeeded Richelieu in the ministry; and the same general plan of policy, though by men of such opposite characters, was still continued in the French councils. The establishment of royal authority, the reduction of the Austrian family, were pursued with ardour and success; and every year brought an accession of force and grandeur to the French monarchy. Not only battles were won, towns and fortresses taken; the genius too of the nation

seemed gradually to improve, and to compose itself to the spirit of dutiful obedience and of steady enterprise. A Condé, a Turenne, were formed; and the troops, animated by their valour, and guided by their discipline, acquired every day a greater ascendancy over the Spaniards. All of a sudden, from some intrigues of the court, and some discontents in the courts of judicature, intestine commotions were excited, and every thing relapsed into confusion. But these rebellions of the French, neither ennobled by the spirit of liberty, nor disgraced by the fanatical extravagance which distinguished the British civil wars, were conducted with little bloodshed, and made but a small impression on the minds of the people. Though seconded by the force of Spain, and conducted by the prince of Condé, the malcontents, in a little time, were either expelled or subdued; and the French monarchy, having lost a few of its conquests, returned with fresh vigour to the acquisition of new dominion.

The queen of England and her son, Charles, during these commotions, passed most of their time at Paris; and notwithstanding their near connexion of blood, received but few civilities, and still less support, from the French court. Had the queen regent been ever so much inclined to assist the English prince, the disorders of her own affairs would, for a long time, have rendered such intentions impracticable. The banished queen had a moderate pension assigned her; but it was so ill payed, and her credit ran so low, that, one morning, when

he cardinal de Retz waited on her, she informed him that her daughter, the princess Henrietta, was obliged to lie abed, for want of a fire to warm her. To such a condition was reduced, in the midst of Paris, a queen of England, and daughter of Henry IV. of France!

The English parliament, however, having assumed the sovereignty of the state, resented the countenance, cold as it was, which the French court gave to the unfortunate monarch. In pretence of injuries, of which the English merchants complained, they issued letters of reprisal upon the French; and Blake went so far as to attack and seize a whole squadron of ships, which were carrying supplies to Dunkirk. Then closely besieged by the Spaniards. That own, disappointed of these supplies, fell into the hands of the enemy. The French ministers soon found it necessary to change their measures. They treated Charles with such affected indifference, that he thought it more decent to withdraw, and prevent the indignity of being desired to leave the kingdom. He went first to Spaw, thence he retired to Cologne; where he lived two years on a small pension, about 6000 pounds a-year, paid him by the court of France, and on some contributions sent him by his friends in England. In the management of his family, he discovered a disposition to order and economy; and his temper, cheerful, careless, and sociable, was more than a sufficient compensation for that empire, of which his enemies had bereaved him. Sir Edward Hyde, created lord chancellor, and the marquis of Ormond, were his chief friends and confidants.

If the French ministry had thought it prudent to bend under the English parliament, they deemed it still more necessary to pay deference to the protector, when he assumed the reins of government. Cardinal Mazarine, by whom all the councils of France were directed, was artful and vigilant, supple and patient, false and intriguing; desirous rather to prevail by dexterity than violence, and placing his honour more in the final success of his measures than in the splendour and magnanimity of the means which he employed. Cromwel, by his imperious character, rather than by the advantage of his situation, acquired an ascendant over this man; and every proposal made by the protector, however unreasonable in itself, and urged with whatever insolence, met with a ready compliance from the politic and timid cardinal. Bourdeaux was sent over to England as minister; and all circumstances of respect were paid to the daring usurper, who had imbrued his hands in the blood of his sovereign, a prince so nearly related to the royal family of France. With indefatigable patience did Bourdeaux conduct this negotiation, which Cromwel seemed entirely to neglect; and though privateers, with English com-

missions, committed daily depredations on the French commerce, Mazarine was content, in hopes of a fortunate issue, still to submit to these indignities.¹⁷

The court of Spain, less connected with the unfortunate royal family, and reduced to greater distress than the French monarchy, had been still more forward in her advances to the prosperous parliament and protector. Don Alonzo de Cardenas, the Spanish envoy, was the first public minister who recognised the authority of the new republic; and in return for this civility, Ascham was sent envoy into Spain by the parliament. No sooner had this minister arrived at Madrid, than some of the banished royalists, inflamed by that inveterate hatred which animated the English factions, broke into his chamber, and murdered him together with his secretary. Immediately they took sanctuary in the churches; and, assisted by the general favour, which every where attended the royal cause, were enabled, most of them, to make their escape. Only one of the criminals suffered death; and the parliament seemed to rest satisfied with this atonement.

Spain, at this time, assailed every where by vigorous enemies from without, and labouring under many internal disorders, retained nothing of her former grandeur, except the haughty pride of her counsels, and the hatred and jealousy of her neighbours. Portugal had rebelled, and established her monarchy in the house of Braganza: Catalonia, complaining of violated privileges, had revolted to France: Naples was shaken with popular convulsions: the Low Countries were invaded with superior forces, and seemed ready to change their master: the Spanish infantry, anciently so formidable, had been annihilated by Condé in the fields of Rocroy: and though the same prince, banished France, sustained, by his activity and valour, the falling fortunes of Spain, he could only hope to protract, not prevent, the ruin with which that monarchy was visibly threatened.

Had Cromwel understood and regarded the interests of his country, he would have supported the declining condition of Spain against the dangerous ambition of France, and preserved that balance of power, on which the greatness and security of England so much depend. Had he studied only his own interests, he would have maintained an exact neutrality between those great monarchies; nor would he have hazarded his ill-acquired and unsettled power, by provoking foreign enemies, who might lend assistance to domestic faction, and overturn his tottering throne. But his magnanimity undervalued danger: his active disposition, and avidity of extensive glory, made him incapable of repose: and as the policy of men is continually warped by their temper, no sooner was peace made with Holland, than he

began to deliberate what new enemy he should invade with his victorious arms.

WAR WITH SPAIN.

THE extensive empire and yet extreme weakness of Spain in the West Indies, the vigorous courage and great naval power of England, were circumstances, which, when compared, excited the ambition of the enterprising protector, and made him hope that he might, by some gainful conquest, render for ever illustrious that dominion which he had assumed over his country. Should he fail of these durable acquisitions, the Indian treasures, which must every year cross the ocean to reach Spain, were, he thought, a sure prey to the English navy, and would support his military force, without his laying new burthens on the discontented people. From France a vigorous resistance must be expected: no plunder, no conquests could be hoped for: the progress of his arms, even if attended with success, must there be slow and gradual: and the advantages acquired, however real, would be still less striking to the multitude, whom it was his interest to allure. The royal family, so closely connected with the French monarch, might receive great assistance from that neighbouring kingdom; and an army of French protestants, landed in England, would be able, he dreaded, to unite the most opposite factions against the present usurpation.¹⁸

These motives of policy were probably seconded by his bigoted prejudices; as no human mind ever contained so strange a mixture of sagacity and absurdity as that of this extraordinary personage. The Swedish alliance, though much contrary to the interests of England, he had contracted merely from his zeal for protestantism;¹⁹ and Sweden being closely connected with France, he could not hope to maintain that confederacy, in which he so much prided himself, should a rupture ensue between England and this latter kingdom.²⁰ The hugonots, he expected, would meet with better treatment, while he engaged in a close union with their sovereign.²¹ And as the Spaniards were much more papists than the French, were much more exposed to the old puritannical hatred,²² and had even erected the bloody tribunal of the inquisition, whose rigours they had refused to mitigate on Cromwel's solicitation;²³ he hoped that a holy and meritorious war with such idolaters could not fail of protection from heaven.²⁴ A preacher likewise, inspired, as was supposed, by a prophetic spirit, bid him *go and prosper*; calling him *a stone cut out of the mountains without hands, that would break the pride of the Spaniard, crush Antichrist, and make way for the purity of the Gospel over the whole world.*²⁵

Actuated equally by these bigoted, these am-

bitious, and these interested motives, the protector equipped two considerable squadrons; and while he was making those preparations, the neighbouring states, ignorant of his intentions, remained in suspense, and looked with anxious expectation on what side the storm should discharge itself. One of these squadrons, consisting of thirty capital ships, was sent into the Mediterranean under Blake, whose fame was now spread over Europe. No English fleet, except during the Crusades, had ever before sailed in those seas; and from one extremity to the other, there was no naval force, Christian or Mahometan, able to resist them. The Roman pontiff, whose weakness and whose pride equally provoke attacks, dreaded invasion from a power which professed the most inveterate enmity against him, and which so little regulated its movements by the usual motives of interest and prudence. Blake casting anchor before Leghorn, demanded and obtained from the duke of Tuscany reparation for some losses which the English commerce had formerly sustained from him. He next sailed to Algiers, and compelled the dey to make peace, and to restrain his piratical subjects from farther violence on the English. He presented himself before Tunis; and having there made the same demands, the dey of that republic bade him look to the castles of Porto-Farino and Goletta, and do his utmost. Blake needed not to be roused by such a bravado: he drew his ships close up to the castles, and tore them in pieces with his artillery. He sent a numerous detachment of sailors in their long-boats into the harbour, and burned every ship that lay there. This bold action, which its very temerity, perhaps, rendered safe, was executed with little loss, and filled all that part of the world with the renown of English valour.

JAMAICA CONQUERED.

THE other squadron was not equally successful. It was commanded by Pen, and carried on board 4000 men, under the command of Venables. About 5000 more joined them from Barbadoes and St. Christopher's. Both these officers were inclined to the king's service;²⁶ and it is pretended that Cromwel was obliged to hurry the soldiers on board, in order to prevent the execution of a conspiracy which had been formed among them in favour of the exiled family.²⁷ The ill success of this enterprise may justly be ascribed, as much to the injudicious schemes of the protector, who planned it, as to the bad execution of the officers, by whom it was conducted. The soldiers were the refuse of the whole army: the forces, enlisted in the West Indies, were the most profligate of mankind: Pen and Venables were of incompatible tempers: the troops were not

furnished with arms fit for such an expedition: their provisions were defective both in quantity and quality: all hopes of pillage, the best incentive to valour among such men, were refused the soldiers and seamen: no directions nor intelligence were given to conduct the officers in their enterprise: and at the same time they were tied down to follow the advice of commissioners who disconcerted them in all their projects.²⁸

It was agreed by the admiral and general (13th April) to attempt St. Domingo, the only place of strength in the island of Hispaniola. On the approach of the English, the Spaniards in a fright deserted their houses, and fled into the woods. Contrary to the opinion of Venables, the soldiers were disembarked without guides ten leagues distant from the town. They wandered four days through the woods without provisions, and, what was still more intolerable in that sultry climate, without water. The Spaniards recovered spirit and attacked them. The English, discouraged with the bad conduct of their officers, and scarcely alive from hunger, thirst, and fatigue, were unable to resist. An inconsiderable number of the enemy put the whole army to rout, killed 600 of them, and chased the rest on board their vessels.

The English commanders, in order to atone as much as possible for this unprosperous attempt, bent their course to Jamaica, which was surrendered to them without a blow. Pen and Venables returned to England, and were both of them sent to the Tower by the protector, who though commonly master of his fiery temper, was thrown into a violent passion at this disappointment. He had made a conquest of greater importance than he was himself at that time aware of; yet was it much inferior to the vast projects which he had formed. He gave orders, however, to support it by men and money; and that island has ever since remained in the hands of the English; the chief acquisition which they owe to the enterprising spirit of Cromwel.

1656. As soon as the news of this expedition, which was an unwarrantable violation of treaty, arrived in Europe, the Spaniards declared war against England, and seized all the ships and goods of English merchants, of which they could make themselves masters. The commerce with Spain, so profitable to the English, was cut off; and near 1500 vessels, it is computed,²⁹ fell in a few years into the hands of the enemy. Blake, to whom Montague was now joined in command, after receiving new orders, prepared himself for hostilities against the Spaniards.

Several sea-officers, having entertained scruples of conscience with regard to the justice of the Spanish war, threw up their commissions, and retired:³⁰ no commands, they

thought, of their superiors could justify a war, which was contrary to the principles of natural equity, and which the civil magistrate had no right to order. Individuals, they maintained, in resigning to the public their natural liberty, could bestow on it only what they themselves were possessed of, a right of performing lawful actions, and could invest it with no authority of commanding what is contrary to the decrees of heaven. Such maxims, though they seem reasonable, are perhaps too perfect for human nature; and must be regarded as one effect, though of the most innocent and even honourable kind, of that spirit, partly fanatical, partly republican, which predominated in England.

Blake lay some time off Cadiz, in expectation of intercepting the plate fleet, but was at last obliged, for want of water, to make sail towards Portugal. Captain Stayner, whom he had left on the coast with a squadron of seven vessels, came in sight of the galleons, and immediately set sail to pursue them. The Spanish admiral ran his ship ashore: two others followed his example: the English took two ships valued at near two millions of pieces of eight. Two galleons were set on fire; and the marquis of Badajoz, viceroy of Peru, with his wife and his daughter, betrothed to the young duke of Medina Celi, were destroyed in them. The marquis himself might have escaped; but seeing these unfortunate women, astonished with the danger, fall in a swoon, and perish in the flames, he rather chose to die with them, than drag out a life embittered with the remembrance of such dismal scenes.³¹ When the treasures gained by this enterprise arrived at Portsmouth, the protector, from a spirit of ostentation, ordered them to be transported by land to London.

The next action against the Spaniards was more honourable, though less profitable to the nation. Blake having heard that a Spanish fleet of sixteen ships, much richer than the former, had taken shelter in the Canaries, immediately made sail towards them. He found them in the bay of Santa Cruz, disposed in a formidable posture. The bay was secured with a strong castle, well provided with cannon, besides seven forts in several parts of it, all united by a line of communication, manned with musqueteers. Don Diego Diaques, the Spanish admiral, ordered all his smaller vessels to moor close to the shore, and posted the larger galleons farther off, at anchor, with their broadsides to the sea.

Blake was rather animated than daunted with this appearance. The wind seconded his courage, and blowing full into the bay, in a moment brought him among the thickest of his enemies. After a resistance of four hours, the Spaniards yielded to English valour, and abandoned their ships, which were set on fire,

and consumed with all their treasure. The greatest danger still remained to the English. They lay under the fire of the castles and all the forts, which must in a little time have torn them in pieces. But the wind suddenly shifting, carried them out of the bay; where they left the Spaniards in astonishment at the happy temerity of their audacious victors.

DEATH OF ADMIRAL BLAKE.

THIS was the last and greatest action of the gallant Blake. He was consumed with a dropsy and scurvy, and hastened home, that he might yield up his breath in his native country, which he had so much adorned by his valour. As he came within sight of land he expired.³² Never man so zealous for a faction was so much respected and esteemed even by the opposite factions. He was by principle an inflexible republican; and the late usurpations, amidst all the trust and caresses which he received from the ruling powers, were thought to be very little grateful to him. *It is still our duty*, he said to the seamen, *to fight for our country, into what hands soever the government may fall.* Disinterested, generous, liberal; ambitious only of true glory, dreadful only to his avowed enemies; he forms one of the most perfect characters of the age, and the least stained with those errors and violences which were then so predominant. The protector ordered him a pompous funeral at the public charge: but the tears of his countrymen were the most honourable panegyric on his memory.

The conduct of the protector in foreign affairs, though imprudent and impolitic, was full of vigour and enterprise, and drew a consideration to his country, which, since the reign of Elizabeth, it seemed to have totally lost. The great mind of this successful usurper was intent on spreading the renown of the English nation; and while he struck mankind with astonishment at his extraordinary fortune, he seemed to enoble, instead of debasing, that people whom he had reduced to subjection. It was his boast, that he would render the name of an Englishman as much feared and revered as ever was that of a Roman; and as his countrymen found some reality in these pretensions, their national vanity being gratified, made them bear with more patience all the indignities and calamities under which they laboured.

DOMESTIC ADMINISTRATION OF CROMWEL.

IT must also be acknowledged, that the protector, in his civil and domestic administration, displayed as great regard both to justice and clemency, as his usurped authority,

derived from no law, and founded only on the sword, could possibly permit. All the chief offices in the courts of judicature were filled with men of integrity: amidst the virulence of faction, the decrees of the judges were upright and impartial: and to every man but himself, and to himself, except where necessity required the contrary, the law was the great rule of conduct and behaviour. Vane and Lilburn, whose credit with the republicans and levellers he dreaded, were indeed for some time confined to prison: Cony, who refused to pay illegal taxes, was obliged by menaces to depart from his obstinacy: high courts of justice were erected to try those who had engaged in conspiracies and insurrections against the protector's authority, and whom he could not safely commit to the verdict of juries. But these irregularities were deemed inevitable consequences of his illegal authority. And though often urged by his officers, as is pretended,³³ to attempt a general massacre of the royalists, he always with horror rejected such sanguinary counsels.

In the army was laid the sole basis of the protector's power; and in managing it consisted the chief art and delicacy of his government. The soldiers were held in exact discipline; a policy which both accustomed them to obedience, and made them less hateful and burthensome to the people. He augmented their pay; though the public necessities sometimes obliged him to run in arrears to them. Their interests, they were sensible, were closely connected with those of their general and protector. And he entirely commanded their affectionate regard, by his abilities and success in almost every enterprise which he had hitherto undertaken. But all military government is precarious; much more where it stands in opposition to civil establishments; and still more where it encounters religious prejudices. By the wild fanaticism which he had nourished in the soldiers, he had seduced them into measures, for which, if openly proposed to them, they would have entertained the utmost aversion. But this same spirit rendered them more difficult to be governed, and made their caprices terrible even to that head which directed their movements. So often taught, that the office of king was an usurpation upon Christ, they were apt to suspect a protector not to be altogether compatible with that divine authority. Harrison, though raised to the highest dignity, and possessed of Cromwel's confidence, became his most inveterate enemy as soon as the authority of a single person was established, against which that usurper had always made such violent protestations. Overton, Rich, Okey, officers of rank in the army, were actuated with like principles, and Cromwel was obliged to deprive them of their commissions. Their influence, which was before thought unbounded among the troops

seemed from that moment to be totally annihilated.

The more effectually to curb the enthusiastic and seditious spirit of the troops, Cromwel established a kind of militia in the several counties. Companies of infantry and cavalry were enlisted under proper officers, regular pay distributed among them, and a resource by that means provided both against the insurrections of the royalists, and mutiny of the army.

Religion can never be deemed a point of small consequence in civil government: but during this period, it may be regarded as the great spring of men's actions and determinations. Though transported, himself, with the most frantic whimsies, Cromwel had adopted a scheme for regulating this principle in others, which was sagacious and political. Being resolved to maintain a national church, yet determined neither to admit episcopacy nor presbytery, he established a number of commissioners, under the name of *tryers*, partly laymen, partly ecclesiastics, some presbyterians, some independents. These presented to all livings, which were formerly in the gift of the crown; they examined and admitted such persons as received holy orders; and they inspected the lives, doctrine, and behaviour of the clergy. Instead of supporting that union between learning and theology, which has so long been attempted in Europe, these *tryers* embraced the latter principle in its full purity, and made it the sole object of their examination. The candidates were no more perplexed with questions concerning their progress in Greek and Roman erudition; concerning their talent for profane arts and sciences: the chief object of scrutiny regarded their advances in grace, and fixing the critical moment of their conversion.

With the pretended saints of all denominations Cromwel was familiar and easy. Laying aside the state of protector, which, on other occasions, he well knew how to maintain, he insinuated to them, that nothing but necessity could ever oblige him to invest himself with it. He talked spiritually to them; he sighed, he wept, he cauted, he prayed. He even entered with them into an emulation of ghostly gifts; and these men, instead of grieving to be outdone in their own way, were proud that his highness, by his princely example, had dignified those practices in which they themselves were daily occupied.²⁴

If Cromwel might be said to adhere to any particular form of religion, they were the independents who could chiefly boast of his favour; and it may be affirmed, that such pastors of that sect, as were not passionately addicted to civil liberty, were all of them devoted to him.

The presbyterian clergy also, saved from the ravages of the anabaptists and millenarians,

and enjoying their establishments and tithes, were not averse to his government; though he still entertained a great jealousy of that ambitious and restless spirit by which they were actuated. He granted an unbounded liberty of conscience to all but catholics and prelatists; and by that means he both attached the wild sectaries to his person, and employed them in curbing the domineering spirit of the presbyterians. "I am the only man," he was often heard to say, "who has known how to subdue that insolent sect, which can suffer none but itself."

The protestant zeal which possessed the presbyterians and independents, was highly gratified by the haughty manner in which the protector so successfully supported the persecuted protestants throughout all Europe. Even the duke of Savoy, so remote a power, and so little exposed to the naval force of England, was obliged, by the authority of France, to comply with his mediation, and to tolerate the protestants of the valleys, against whom that prince had commenced a furious persecution. France itself was constrained to bear not only with the religion, but even, in some instances, with the seditious insolence of the hugonots; and when the French court applied from a reciprocal toleration of the catholic religion in England, the protector, who arrogated in every thing the superiority, would hearken to no such proposal. He had entertained a project of instituting a college in imitation of that at Rome, for the propagation of the faith; and his apostles, in zeal, though not in unanimity, had certainly been a full match for the catholics.

Cromwel retained the church of England in constraint; though he permitted its clergy a little more liberty than the republican parliament had formerly allowed. He was pleased that the superior lenity of his administration should in every thing be remarked. He bridled the royalists, both by the army which he retained, and by those secret spies which he found means to intermix in all their counsels. Manning being detected and punished with death, he corrupted sir Richard Willis, who was much trusted by chancellor Hyde and all the royalists; and by means of this man he was let into every design and conspiracy of the party. He could disconcert any project, by confining the persons who were to be the actors in it; and as he restored them afterwards to liberty, his severity passed only for the result of general jealousy and suspicion. The secret source of his intelligence remained still unknown and suspected.

Conspiracies for an assassination he was chiefly afraid of; these being designs which no prudence or vigilance could evade. Colonel Titus, under the name of Allen, had written a spirited discourse, exhorting every one to embrace this method of vengeance;

and Cromwel knew that the inflamed minds of the royal party was sufficiently disposed to put the doctrine in practice against him. He openly told them, that assassinations were base and odious, and he never would commence hostilities by so shameful an expedient; but if the first attempt or provocation came from them, he would retaliate to the uttermost. He had instruments, he said, whom he could employ; and he never would desist till he had totally exterminated the royal family. This menace, more than all his guards, contributed to the security of his person. [See note (T) at the end of this Vol.]

There was no point about which the protector was more solicitous than to procure intelligence. This article alone, it is said, cost him sixty thousand pounds a-year. Postmasters both at home and abroad, were in his pay: carriers were searched or bribed: secretaries and clerks were corrupted: the greatest zealots in all parties were often those who conveyed private information to him: and nothing could escape his vigilant enquiry. Such at least is the representation made by historians of Cromwel's administration: but it must be confessed, that if we may judge by those volumes of Thurloe's papers, which have been lately published, this affair, like many others, has been greatly magnified. We scarcely find by that collection, that any secret counsels of foreign states, except those of Holland, which are not expected to be concealed, were known to the protector.

The general behaviour and deportment of this man, who had been raised from a very private station, who had passed most of his youth in the country, and who was still constrained so much to frequent bad company, was such as might befit the greatest monarch. He maintained a dignity without either affectation or ostentation; and supported with all strangers that high idea with which his great exploits and prodigious fortune had impressed them. Among his ancient friends he could relax himself; and by trifling and amusement, jesting and making verses, he feared not exposing himself to their most familiar reproaches.³⁵ With others he sometimes pushed matters to the length of rustic buffoonery; and he would amuse himself by putting burning coals into the boots and hose of the officers who attended him.³⁶ Before the king's trial, a meeting was agreed on between the chiefs of the republican party and the general officers, in order to concert the model of that free government which they were to substitute in the room of the monarchical constitution, now totally subverted. After debates on this subject, the most important that could fall under the discussion of human creatures, Ludlow tells us, that Cromwel, by way of frolic, threw a cushion at his head; and when Ludlow took up another cushion, in order to return the compliment, the general

ran down stairs, and had almost fallen in the hurry. When the high court of justice was signing the warrant for the execution of the king, a matter, if possible, still more serious, Cromwel, taking the pen in his hand, before he subscribed his name, bedaubed with ink the face of Martin, who sat next him. And the pen being delivered to Martin, he practised the same frolic upon Cromwel.³⁷ He frequently gave feasts to his inferior officers; and when the meat was set upon the table, a signal was given; the soldiers rushed in upon them; and with much noise, tumult, and confusion, ran away with all the dishes, and disappointed the guests of their meal.³⁸

That vein of frolic and pleasantry, which made a part, however inconsistent, of Cromwel's character, was apt sometimes to betray him into other inconsistencies, and to discover itself even where religion might seem to be a little concerned. It is a tradition, that one day, sitting at table, the protector had a bottle of wine brought him, of a kind which he valued so highly, that he must needs open the bottle himself: but in attempting it, the cork-screw dropt from his hand. Immediately his courtiers and generals flung themselves on the floor to recover it. Cromwel burst out a-laughing. *Should any fool,* said he, *put in his head at the door, he would fancy, from your posture, that you were seeking the Lord; and you are only seeking a cork-screw.*

Amidst all the unguarded play and buffoonery of this singular personage, he took the opportunity of remarking the characters, designs, and weaknesses of men; and he would sometimes push them by an indulgence in wine, to open to him the most secret recesses of their bosom. Great regularity, however, and even austerity of manners, were always maintained in his court; and he was careful never by any liberties to give offence to the most rigid of the godly. Some state was upheld; but with little expence, and without any splendour. The nobility, though courted by him, kept at a distance, and disdained to intermix with those mean persons who were the instruments of his government. Without departing from economy, he was generous to those who served him; and he knew how to find out and engage in his interests every man possessed of those talents which any particular employment demanded. His generals, his admirals, his judges, his ambassadors, were persons who contributed, all of them in their several spheres, to the security of the protector, and to the honour and interest of the nation.

Under pretence of uniting Scotland and Ireland in one commonwealth with England, Cromwel had reduced these kingdoms to a total subjection; and he treated them entirely as conquered provinces. The civil administration of Scotland was placed in a council,

consisting mostly of English, of which lord Broghil was president. Justice was administered by seven judges, four of whom were English. In order to curb the tyrannical nobility, he both abolished all vassalage,³⁹ and revived the office of justice of peace, which king James had introduced, but was not able to support.⁴⁰ A long line of forts and garrisons was maintained throughout the kingdom. An army of 10,000 men⁴¹ kept every thing in peace and obedience; and neither the banditti of the mountains, nor the bigots of the low countries, could indulge their inclination to turbulence and disorder. He courted the presbyterian clergy; though he nourished that intestine enmity which prevailed between the resolutioners and protesters; and he found that very little policy was requisite to foment quarrels among theologians. He permitted no church assemblies; being sensible that from thence had proceeded many of the past disorders. And, in the main, the Scots were obliged to acknowledge, that never before, while they enjoyed their irregular factious liberty, had they attained so much happiness as at present, when reduced to subjection under a foreign nation.

The protector's administration of Ireland was more severe and violent. The government of that island was first intrusted to Fleetwood, a notorious fanatic, who had married Ireton's widow; then to Henry Cromwel, second son of the protector, a young man of an amiable, mild disposition, and not destitute of vigour and capacity. About five millions of acres, forfeited either by popish rebels or by the adherents of the king, were divided, partly among the adventurers, who had advanced money to the parliament, partly among the English soldiers, who had arrears due to them. Examples of a more sudden and violent change of property are scarcely to be found in any history. An order was even issued to confine all the native Irish to the province of Connaught, where they would be shut up by rivers, lakes, and mountains; and could not, it was hoped, be any longer dangerous to the English government: but this barbarous and absurd policy, which, from an impatience of attaining immediate security, must have depopulated all the other provinces, and rendered the English estates of no value, was soon abandoned as impracticable.

NEW PARLIAMENT.

CROMWEL began to hope that, by his administration, attended with so much lustre and success abroad, so much order and tranquillity at home, he had now acquired such authority as would enable him to meet the representatives of the nation, and would assure him of their dutiful compliance with his government. He summoned a parliament; but not trusting altogether to the good-will of the people, he

used every art which his new model of representation allowed him to employ, in order to influence the elections, and fill the house with his own creatures. Ireland, being entirely in the hands of the army, chose few but such officers as were most acceptable to him. Scotland showed a like compliance; and as the nobility and gentry of that kingdom regarded their attendance on English parliaments as an ignominious badge of slavery, it was, on that account, more easy for the officers to prevail in the elections. Notwithstanding all these precautions, the protector still found that the majority would not be favourable to him. He set guards, therefore, on the door (17th Sept.), who permitted none to enter but such as produced a warrant from his council; and the council rejected about a hundred, who either refused a recognition of the protector's government, or were on other accounts obnoxious to him. These protested against so egregious a violence, subversive of all liberty; but every application for redress was neglected both by the council and the parliament.

The majority of the parliament, by means of these arts and violences, was now at last either friendly to the protector, or resolved, by their compliance, to adjust, if possible, this military government to their laws and liberties. They voted a renunciation of all title in Charles Stuart, or any of his family; and this was the first act, dignified with the appearance of national consent, which had ever had that tendency. Colonel Jephson, in order to sound the inclinations of the house, ventured to move, that the parliament should bestow the crown on Cromwel; and no surprise or reluctance was discovered on the occasion. When Cromwel afterwards asked Jephson what induced him to make such a motion; "As long," said Jephson, "as I have the honour to sit in parliament, I must follow the dictates of my own conscience, whatever offence I may be so unfortunate as to give you."—"Get thee gone," said Cromwel, giving him a gentle blow on the shoulder, "get thee gone, for a mad fellow, as thou art."

In order to pave the way to this advancement, for which he so ardently longed, Cromwel resolved to sacrifice his major-generals, whom he knew to be extremely odious to the nation. That measure was also become necessary for his own security. All government, purely military, fluctuates perpetually between a despotic monarchy and a despotic aristocracy, according as the authority of the chief commander prevails, or that of the officers next him in rank and dignity. The major-generals, being possessed of so much distinct jurisdiction, began to establish a separate title to power, and had rendered themselves formidable to the protector himself; and for this inconvenience, though he had not foreseen it, he

well knew, before it was too late, to provide a proper remedy. Claypole, his son-in-law, who possessed his confidence, abandoned them to the pleasure of the house; and though the name was still retained, it was agreed to abridge, or rather entirely annihilate, the power of the major-generals.

At length, a motion in form was made by alderman Pack, one of the city members, for investing the protector with the dignity of King. This motion, at first, excited great disorder, and divided the whole house into parties. The chief opposition came from the usual adherents of the protector, the major-generals, and such officers as depended on them. Lambert, a man of deep intrigue, and of great interest in the army, had long entertained the ambition of succeeding Cromwel in the protectorship; and he foresaw, that, if the monarchy were restored, hereditary right would also be established, and the crown be transmitted to the posterity of the prince first elected. He pleaded, therefore, conscience; and rousing all those civil and religious jealousies against kingly government, which had been so industriously encouraged among the soldiers, and which served them as a pretence for so many violences, he raised a numerous, and still more formidable, party against the motion.

CROWN OFFERED TO CROMWEL. 1657.

On the other hand, the motion was supported by every one who was more particularly devoted to the protector, and who hoped, by so acceptable a measure, to pay court to the prevailing authority. Many persons also, attached to their country, despaired of ever being able to subvert the present illegal establishment; and were desirous, by fixing it on ancient foundations, to induce the protector, from views of his own safety, to pay a regard to the ancient laws and liberties of the kingdom. Even the royalists imprudently joined in the measure; and hoped that, when the question regarded only persons, not forms of government, no one would any longer balance between the ancient royal family and an ignoble usurper, who, by blood, treason, and perfidy, had made his way to the throne. The bill was voted by a considerable majority; and a committee was appointed to reason with the protector, and to overcome those scruples which he pretended against accepting so liberal an offer.

The conference lasted for several days. The committee urged, that all the statutes and customs of England were founded on the supposition of regal authority, and could not, without extreme violence, be adjusted to any other form of government: that a protector, except during the minority of a king, was a name utterly unknown to the laws; and no man

was acquainted with the extent or limits of his authority: that if it were attempted to define every part of his jurisdiction, many years, if not ages, would be required for the execution of so complicated a work; if the whole power of the king were at once transferred to him, the question was plainly about a name, and the preference was indisputably due to the ancient title: that the English constitution was more anxious concerning the form of government than concerning the birth-right of the first magistrate, and had provided, by an express law of Henry VII. for the security of those who act in defence of the king in being, by whatever means he might have acquired possession: that it was extremely the interest of all his highness's friends to seek the shelter of this statute; and even the people in general were desirous of such a settlement, and in all juries were with great difficulty induced to give their verdict in favour of a protector: that the great source of all the late commotions had been the jealousy of liberty; and that a republic, together with a protector, had been established, in order to provide farther securities for the freedom of the constitution; but that by experience the remedy had been found insufficient, even dangerous and pernicious; since every undetermined power, such as that of a protector, must be arbitrary; and the more arbitrary, as it was contrary to the genius and inclination of the people.

The difficulty consisted not in persuading Cromwel. He was sufficiently convinced of the solidity of these reasons; and his inclination, as well as judgment, was entirely on the side of the committee. But how to bring over the soldiers to the same way of thinking, was the question. The office of king had been painted to them in such horrible colours, that there were no hopes of reconciling them suddenly to it, even though bestowed upon their general, to whom they were so much devoted. A contradiction, open and direct, to all past professions, would make them pass, in the eyes of the whole nation, for the most shameless hypocrites, enlisted, by no other than mercenary motives, in the cause of the most perfidious traitor. Principles, such as they were, had been encouraged in them by every consideration, human and divine; and though it was easy, where interest concurred, to deceive them by the thinnest disguises, it might be found dangerous at once to pull off the masque, and to show them in full light the whole crime and deformity of their conduct. Suspended between these fears and his own most ardent desires, Cromwel protracted the time, and seemed still to oppose the reasonings of the committee; in hopes that by artifice he might be able to reconcile the refractory minds of the soldiers to his new dignity.

While the protector argued so much in contradiction both to his judgment and inclination, it is no wonder that his elocution, always confused, embarrassed, and unintelligible, should be involved in tenebrous darkness, and discover no glimmering of common sense or reason. An exact account of this conference remains, and may be regarded as a great curiosity. The members of the committee, in their reasonings, discover judgment, knowledge, elocution: lord Brughil, in particular, exerts himself on this memorable occasion. But what a contrast, when we pass to the protector's replies! After so singular a manner does nature distribute her talents, that in a nation abounding with sense and learning, a man who, by superior personal merit alone, had made his way to supreme dignity, and had even obliged the parliament to make him a tender of the crown, was yet incapable of expressing himself on this occasion, but in a manner which a peasant of the most ordinary capacity would justly be ashamed of.⁴²

CROMWEL REJECTS THE CROWN.

THE opposition which Cromwel dreaded, was not that which came from Lambert and his adherents, whom he now regarded as capital enemies, and whom he was resolved, on the first occasion, to deprive of all power and authority: it was that which he met with in his own family, and from men, who, by interest as well as inclination, were the most devoted to him. Fleetwood had married his daughter: Desborow his sister: yet these men, actuated by principle alone, could by no persuasion, artifice, or entreaty, be induced to consent that their friend and patron should be invested with regal dignity. They told him, that if he accepted of the crown, they would instantly throw up their commissions, and never afterwards should have it in their power to serve him.⁴³ Colonel Pride procured a petition against the office of king, signed by a majority of the officers, who were in London and the neighbourhood. Several persons, it is said, had entered into an engagement to murder the protector within a few hours after he should have accepted the offer of the parliament. Some sudden mutiny in the army was justly dreaded. And upon the whole, Cromwel, after the agony and perplexity of long doubt, was at last obliged to refuse that crown, which the representatives of the nation, in the most solemn manner, had tendered to him. Most historians are inclined to blame his choice; but he must be allowed the best judge of his own situation. And in such complicated subjects, the alteration of a very minute circumstance, unknown to the spectator, will often be sufficient to cast the balance, and render a determination, which, in itself, may be un-

eligible, very prudent, or even absolutely necessary to the actor.

A dream or prophecy, lord Clarendon mentions, which he affirms (and he must have known the truth) was universally talked of almost from the beginning of the civil wars, and long before Cromwel was so considerable a person as to bestow upon it any degree of probability. In this prophecy it was foretold, that Cromwel should be the greatest man in England, and would nearly, but never would fully, mount the throne. Such a prepossession probably arose from the heated imagination either of himself or of his followers; and as it might be one cause of the great progress which he had already made, it is not an unlikely reason which may be assigned for his refusing at this time any farther elevation.

The parliament, when the regal dignity was rejected by Cromwel, found themselves obliged to retain the name of a commonwealth and protector; and as the government was hitherto a manifest usurpation, it was thought proper to sanctify it by a seeming choice of the people and their representatives. Instead of the *instrument of government*, which was the work of the general officers alone, *humble petition and advice* was framed, and offered to the protector by the parliament. This was represented as the great basis of the republican establishment, regulating and limiting the powers of each member of the constitution, and securing the liberty of the people to the most remote posterity. By this deed the authority of protector was in some particulars enlarged: in others, it was considerably diminished. He had the power of nominating his successor; he had a perpetual revenue assigned him, a million a year for the pay of the fleet and army, three hundred thousand pounds for the support of civil government; and he had authority to name another house, who should enjoy their seats during life, and exercise some functions of the former house of peers. But he abandoned the power assumed in the intervals of parliament, of framing laws with the consent of his council; and he agreed, that no members of either house should be excluded but by the consent of that house of which they were members. The other articles were in the main the same as in the instrument of government. The instrument of government Cromwel had formerly extolled as the most perfect work of human invention: he now represented it as a rotten plank, upon which no man could trust himself without sinking. Even the humble petition and advice, which he extolled in its turn, appeared so lame and imperfect, that it was found requisite, this very session, to mend it by a supplement; and after all, it may be regarded as a crude and undigested model of government. It was, however, accepted for the voluntary deed of

the whole people in the three united nations; and Cromwel, as if his power had just commenced from this popular consent, was anew inaugurated in Westminster-Hall, after the most solemn and most pompous manner.

The parliament having adjourned itself (26th June), the protector deprived Lambert of all his commissions; but still allowed him a considerable pension of two thousand pounds a year, as a bribe for his future peaceable deportment. Lambert's authority in the army, to the surprise of every body, was found immediately to expire with the loss of his commission. Parker and some other officers, whom Cromwel suspected, were also displaced.

Richard, eldest son of the protector, was brought to court, introduced into public business, and thenceforth regarded by many as his heir in the protectorship; though Cromwel sometimes employed the gross artifice of flattering others with hopes of the succession. Richard was a person possessed of the most peaceable, inoffensive, unambitious character, and had hitherto lived contentedly in the country on a small estate which his wife had brought him. All the activity which he discovered, and which never was great, was however exerted to beneficent purposes: at the time of the king's trial, he had fallen on his knees before his father, and had conjured him by every tie of duty and humanity, to spare the life of that monarch. Cromwel had two daughters unmarried: one of them he now gave in marriage to the grandson and heir of his great friend, the earl of Warwic, with whom he had, in every fortune, preserved an uninterrupted intimacy and good correspondence. The other he married to the viscount Fauconberg, of a family formerly devoted to the royal party. He was ambitious of forming connexions with the nobility; and it was one chief motive for his desiring the title of king, that he might replace every thing in its natural order, and restore to the ancient families, the trust and honour of which he now found himself obliged, for his own safety, to deprive them.

1658. On the 20th of January the parliament was again assembled; consisting, as in the times of monarchy, of two houses, the commons and the other house. Cromwel, during the interval, had sent writs to his house of peers, which consisted of sixty members. They were composed of five or six ancient peers, of several gentlemen of fortune and distinction, and of some officers who had risen from the meanest stations. None of the ancient peers, however, though summoned by writ, would deign to accept of a seat, which they must share with such companions as were assigned them. The protector endeavoured at first to maintain the appearance of a legal magistrate. He placed no guard at the door

of either house: but soon found how incompatible liberty is with military usurpations. By bringing so great a number of his friends and adherents into the other house, he had lost the majority among the national representatives. In consequence of a clause in the humble petition and advice, the commons assumed the power of re-admitting those members whom the council had formerly excluded. Sir Arthur Hazelrig and some others, whom Cromwel had created lords, rather chose to take their seat with the commons. An uncontested majority now declared themselves against the protector; and they refused to acknowledge the jurisdiction of that other house which he had established. Even the validity of the humble petition and advice was questioned; as being voted by a parliament which lay under force, and which was deprived, by military violence, of a considerable number of its members. The protector, dreading combinations between the parliament and the malcontents in the army, resolved to allow no leisure for forming any conspiracy against him; and, with expressions of great displeasure, he dissolved the parliament. (4th Feb.) When urged by Fleetwood and others of his friends, not to precipitate himself into this rash measure, he swore, by the living God, that they should not sit a moment longer.

These distractions at home were not able to take off the protector's attention from foreign affairs; and in all his measures he proceeded with the same vigour and enterprise, as if secure of the duty and attachment of the three kingdoms. His alliance with Sweden he still supported; and he endeavoured to assist that crown in its successful enterprises, for reducing all its neighbours to subjection, and rendering itself absolute master of the Baltic. As soon as Spain declared war against him, he concluded a peace and an alliance with France, and united himself in all his councils with that potent and ambitious kingdom. Spain, having long courted in vain the friendship of the successful usurper, was reduced at last to apply to the unfortunate prince. Charles formed a league with Philip, removed his small court to Bruges in the Low Countries, and raised four regiments of his own subjects, whom he employed in the Spanish service. The duke of York, who had, with applause, served some campaigns in the French army, and who had merited the particular esteem of marshal Turenne, now joined his brother, and continued to seek military experience under don John of Austria, and the prince of Condé.

DUNKIRK TAKEN.

THE scheme of foreign politics, adopted by the protector, was highly imprudent, but was suitable to that magnanimity and enterprise,

with which he was so signally endowed. He was particularly desirous of conquest and dominion on the continent;⁴⁴ and he sent over into Flanders six thousand men under Reynolds, who joined the French army commanded by Turenne. In the former campaign, Mardyke was taken, and put into the hands of the English. Early this campaign, siege was laid to Dunkirk; and when the Spanish army advanced to relieve it, the combined armies of France and England marched out of their trenches, and fought the battle of the Dunes, where the Spaniards were totally defeated.⁴⁵ The valour of the English was much remarked on this occasion. Dunkirk, being soon after surrendered, was by agreement delivered to Cromwel. He committed the government of that important place to Lockhart, a Scotchman of abilities, who had married his niece, and was his ambassador at the court of France.

This acquisition was regarded by the protector as the means only of obtaining farther advantages. He was resolved to concert measures with the French court for the final conquest and partition of the Low Countries.⁴⁶ Had he lived much longer, and maintained his authority in England, so chimerical, or rather so dangerous, a project would certainly have been carried into execution. And this first and principal step towards more extensive conquest, which France, during a whole century, has never yet been able, by an infinite expence of blood and treasure, fully to attain, had at once been accomplished by the enterprising, though unskilful, politics of Cromwel.

During these transactions, great demonstrations of mutual friendship and regard passed between the French king and the protector. Lord Fauconberg, Cromwel's son-in-law, was dispatched to Louis, then in camp before Dunkirk; and was received with the regard usually paid to foreign princes by the French court.⁴⁷ Mazarine sent to London his nephew Mancini, along with the duke of Crequi; and expressed his regret, that his urgent affairs should deprive him of the honour which he had long wished for, of paying, in person, his respects to the greatest man in the world.⁴⁸

The protector reaped little satisfaction from the success of his arms abroad: the situation on which he stood at home, kept him in perpetual uneasiness and inquietude. His administration, so expensive both by military enterprises and secret intelligence, had exhausted his revenue, and involved him in a considerable debt. The royalists, he heard, had renewed their conspiracies for a general insurrection; and Ormond was secretly come over with a view of concerting measures for the execution of this project. Lord Fairfax, sir William Waller, and many heads of the presbyterians, had secretly entered into the engagement. Even the army was infected with the general spirit

of discontent; and some sudden and dangerous eruption was every moment to be dreaded from it. No hopes remained, after this violent breach with the last parliament, that he should ever be able to establish, with general consent, a legal settlement, or temper the military with any mixture of civil authority. All his arts and policy were exhausted; and having so often, by fraud and false pretences, deceived every party, and almost every individual, he could no longer hope, by repeating the same professions, to meet with equal confidence and regard.

However zealous the royalists, their conspiracy took not effect: Willis discovered the whole to the protector. Ormond was obliged to fly, and he deemed himself fortunate to have escaped so vigilant an administration. Great numbers were thrown into prison. A high court of justice was anew greeted for the trial of those criminals whose guilt was most apparent. Notwithstanding the recognition of his authority by the last parliament, the protector could not as yet trust to an unbiassed jury. Sir Henry Slingsby, and Dr. Huet, were condemned and beheaded. Mordaunt, brother to the earl of Peterborow, narrowly escaped. The numbers for his condemnation and his acquittal were equal; and just as the sentence was pronounced in his favour, colonel Pride, who was resolved to condemn him, came into court. Ashton, Story, and Bestley, were hanged in different streets of the city.

The conspiracy of the millenarians in the army struck Cromwel with still greater apprehensions. Harrison and the other discarded officers of that party could not remain at rest. Stimulated equally by revenge, by ambition, and by conscience, they still harboured in their breast some desperate project; and there wanted not officers in the army, who, from like motives, were disposed to second all their undertakings. The levellers and agitators had been encouraged by Cromwel to interpose with their advice in all political deliberations; and he had even pretended to honour many of them with his intimate friendship, while he conducted his daring enterprises against the king and the parliament. It was a usual practice with him, in order to familiarize himself the more with the agitators, who were commonly corporals or sergeants to take them to bed with him, and there, after prayers and exhortations, to discuss together their projects and principles, political as well as religious. Having assumed the dignity of protector, he excluded them from all his councils, and had neither leisure nor inclination to indulge them any farther in their wonted familiarities. Among those who were enraged at this treatment was Sexby, an active agitator, who now employed against him all that restless industry which had formerly been exerted in his favour. He even went so far as to enter into a correspondence with Spain; and Cromwel,

who knew the distempers of the army, was justly afraid of some mutiny, to which a day, an hour, an instant, might provide leaders.

Of assassinations likewise he was apprehensive, from the zealous spirit which actuated the soldiers. Sindercome had undertaken to murder him; and, by the most unaccountable accidents, had often been prevented from executing his bloody purpose. His design was discovered; but the protector could never find the bottom of the enterprise, nor detect any of his accomplices. He was tried by a jury; and notwithstanding the general odium attending that crime, notwithstanding the clear and full proof of his guilt, so little conviction prevailed of the protector's right to the supreme government, it was with the utmost difficulty⁴⁹ that this conspirator was condemned. When every thing was prepared for his execution, he was found dead; from poison, as is supposed, which he had voluntarily taken.

The protector might better have supported those fears and apprehensions which the public distempers occasioned, had he enjoyed any domestic satisfaction, or possessed any cordial friend of his own family, in whose bosom he could safely have unloaded his anxious and corroding cares. But Fleetwood, his son-in-law, actuated by the wildest zeal, began to estrange himself from him; and was enraged to discover that Cromwel, in all his enterprises, had entertained views of promoting his own grandeur, more than of encouraging piety and religion, of which he made such fervent professions. His eldest daughter, married to Fleetwood, had adopted republican principles so vehement, that she could not with patience behold power lodged in a single person, even in her indulgent father. His other daughters were no less prejudiced in favour of the royal cause, and regretted the violences and iniquities into which, they thought, their family had so unhappily been transported. Above all, the sickness of Mrs. Claypole, his peculiar favourite, a lady endued with many humane virtues and amiable accomplishments, depressed his anxious mind, and poisoned all his enjoyments. She had entertained a high regard for Dr. Huet lately executed; and being refused his pardon, the melancholy of her temper, increased by her distempered body, had prompted her to lament to her father all his sanguinary measures, and urge him to compunction for those heinous crimes into which his fatal ambition had betrayed him. Her death, which followed soon after, gave new edge to every word which she had uttered.

All composure of mind was now for ever fled from the protector: he felt that the grandeur which he had attained with so much guilt and courage, could not ensure him that tranquillity which it belongs to virtue alone, and moderation, fully to ascertain. Overwhelmed with

the load of public affairs, dreading perpetually some fatal accident in his distempered government, seeing nothing around him but treacherous friends or enraged enemies, possessing the confidence of no party, resting his title on no principle, civil or religious, he found his power to depend on so delicate a poise of factions and interests, as the smallest event was able, without any preparation, in a moment to overturn. Death too, which with such signal intrepidity he had braved in the field, being incessantly threatened by the poinards of fanatical or interested assassins, was ever present to his terrified apprehension, and haunted him in every scene of business or repose. Each action of his life betrayed the terrors under which he laboured. The aspect of strangers was uneasy to him: with a piercing and anxious eye he surveyed every face to which he was not daily accustomed. He never moved a step without strong guards attending him: he wore armour under his clothes, and farther secured himself by offensive weapons, a sword, falchion, and pistols, which he always carried about him. He returned from no place by the direct road, or by the same way which he went. Every journey he performed with hurry and precipitation. Seldom he slept above three nights together in the same chamber: and he never let it be known beforehand what chamber he intended to choose, nor intrusted himself in any which was not provided with back doors, at which centinels were carefully placed. Society terrified him, while he reflected on his numerous, unknown, and implacable enemies: solitude astonished him, by withdrawing that protection which he found so necessary for his security.

SICKNESS OF THE PROTECTOR.

His body also, from the contagion of his anxious mind, began to be affected; and his health seemed sensibly to decline. He was seized with a slow fever, which changed into a tertian ague. For the space of a week, no dangerous symptoms appeared; and in the intervals of the fits he was able to walk abroad. At length the fever increased, and he himself began to entertain some thoughts of death, and to cast his eye towards that future existence, whose idea had once been intimately present to him; though since, in the hurry of affairs, and in the shock of wars and factions, it had, no doubt, been considerably obliterated. He asked Goodwin, one of his preachers, if the doctrine were true, that the elect could never fall or suffer a final reprobation. "Nothing more certain," replied the preacher. "Then am I safe," said the protector: "for I am sure that once I was in a state of grace."

His physicians were sensible of the perilous condition to which his distemper had reduced

him: but his chaplains, by their prayers, visions, and revelations, so buoyed up his hopes, that he began to believe his life out of all danger. A favourable answer, it was pretended, had been returned by heaven to the petitions of all the godly; and he relied on their asseverations much more than on the opinion of the most experienced physicians. "I tell you," he cried with confidence to the latter, "I tell you, I shall not die of this distemper: I am well assured of my recovery. It is promised by the Lord, not only to my supplications, but to those of men who hold a stricter commerce and more intimate correspondence with him. Ye may have skill in your profession; but nature can do more than all the physicians in the world, and God is far above nature." ⁵⁰ Nay, to such a degree of madness did their enthusiastic assurances mount, that, upon a fast day, which was observed on his account both at Hampton Court and at Whitehall, they did not so much pray for his health, as give thanks for the undoubted pledges which they had received of his recovery. He himself was overheard offering up his addresses to heaven; and so far had the illusions of fanaticism prevailed over the plainest dictates of natural morality, that he assumed more the character of a mediator interceding for his people, than that of a criminal, whose atrocious violations of social duty had, from every tribunal, human and divine, merited the severest vengeance.

HIS DEATH AND CHARACTER.

MEANWHILE all the symptoms began to wear a more fatal aspect; and the physicians were obliged to break silence, and to declare, that the protector could not survive the next fit with which he was threatened. The council was alarmed. A deputation was sent to know his will with regard to his successor. His senses were gone, and he could not now express his intentions. They asked him whether he did not mean that his eldest son, Richard, should succeed him in the protectorship. A simple affirmative was, or seemed to be, extorted from him. Soon after, on the 3rd of September, that very day which he had always considered as the most fortunate for him, he expired. A violent tempest, which immediately succeeded his death, served as a subject of discourse to the vulgar. His partisans, as well as his enemies, were fond of remarking this event; and each of them endeavoured, by forced inferences, to interpret it as a confirmation of their particular prejudices.

The writers, attached to the memory of this wonderful person, make his character with regard to abilities, bear the air of the most extravagant panegyric: his enemies form such a representation of his moral qualities as resembles the most virulent invective. Both of them,

it must be confessed, are supported by such striking circumstances in his conduct and fortune as bestow on their representation a great air of probability. "What can be more extraordinary," it is said, "than that a person of private birth and education, no fortune, no eminent qualities of body, which have sometimes, nor shining talents of mind, which have often, raised men to the highest dignities, should have the courage to attempt, and the abilities to execute, so great a design as the subverting one of the most ancient and best established monarchies in the world? That he should have the power and boldness to put his prince and master to an open and infamous death? Should banish that numerous and strongly allied family? Cover all these temerities under a seeming obedience to a parliament, in whose service he pretended to be retained? Trample too upon that parliament in their turn, and scornfully expel them as soon as they gave him ground of dissatisfaction? Erect in their place the dominion of the saints, and give reality to the most visionary idea, which the heated imagination of any fanatic was ever able to entertain? Suppress again that monster in its infancy, and openly set up himself above all things that ever were called sovereign in England? Overcome first all his enemies by arms, and all his friends afterwards by artifice? Serve all parties patiently for a while, and command them victoriously at last? Overrun each corner of the three nations, and subdue with equal facility, both the riches of the south, and the poverty of the north? Be feared and courted by all foreign princes, and be adopted a brother to the gods of the earth? Call together parliaments with a word of his pen, and scatter them again with the breath of his mouth? Reduce to subjection a warlike and discontented nation, by means of a mutinous army? Command a mutinous army by means of seditious and factious officers? Be humbly and daily petitioned, that he would be pleased, at the rate of millions a year, to be lived as master of those who had hired him before to be their servant? Have the estates and lives of three nations as much at his disposal as was once the little inheritance of his father, and be as noble and liberal in the spending of them? And lastly (for there is no end of enumerating every particular of his glory,) with one word bequeath all this power and splendour to his posterity? Die possessed of peace at home, and triumph abroad? Be buried among kings, and with more than regal solemnity; and leave a name behind him not to be extinguished but with the whole world; which as it was too little for his praise, so might it have been for his conquests, if the short line of his mortal life could have stretched out to the extent of his immortal designs!" ⁵¹

My intention is not to disfigure this picture,

drawn by so masterly a hand: I shall only endeavour to remove from it somewhat of the marvellous; a circumstance, which, on all occasions, gives much ground for doubt and suspicion. It seems to me, that the circumstance of Cromwel's life, in which his abilities are principally discovered, is his rising from a private station, in opposition to so many rivals, so much advanced before him, to a high command and authority in the army. His great courage, his signal military talents, his eminent dexterity and address, were all requisite for this important acquisition. Yet will not this promotion appear the effect of supernatural abilities, when we consider, that Fairfax himself, a private gentleman, who had not the advantage of a seat in parliament, had, through the same steps, attained even a superior rank, and, if endued with common capacity and penetration, had been able to retain it. To incite such an army to rebellion against the parliament, required no uncommon art or industry: to have kept them in obedience had been the more difficult enterprise. When the breach is once formed between the military and civil powers, a supreme and absolute authority, from that moment is devolved on the general; and if he afterwards pleased to employ artifice of policy, it may be regarded, on most occasions, as great condescension, if not as superfluous caution. That Cromwel was ever able really to blind or over-reach either the king or the republicans, does not appear: as they possessed no means of resisting the force under his command, they were glad to temporise with him, and, by seeming to be deceived, wait for opportunities of freeing themselves from his dominion. If he seduced the military fanatics, it is to be considered, that their interests and his evidently concurred, that their ignorance and low education exposed them to the grossest imposition, and that he himself was at bottom as frantic an enthusiast as the worst of them, and, in order to obtain their confidence, needed but to display those vulgar and ridiculous habits, which he had early acquired, and on which he set so high a value. An army is so forcible, and at the same time so coarse a weapon, that any hand, which wields it, may, without much dexterity, perform any operation, and attain any ascendant, in human society.

The domestic administration of Cromwel, though it discovers great abilities, was conducted without any plan either of liberty or arbitrary power: perhaps, his difficult situation admitted of neither. His foreign enterprises, though full of intrepidity, were pernicious to national interest, and seem more the result of impetuous fury or narrow prejudices, than of cool foresight and deliberation. An eminent personage, however, he was in many respects, and even a superior genius; but unequal and

irregular in his operations. And though not defective in any talent, except that of elocution, the abilities, which in him were most admirable, and which most contributed to his marvellous success, were the magnanimous resolution of his enterprises, and his peculiar dexterity in discovering the characters, and practising on the weaknesses, of mankind.

If we survey the moral character of Cromwel with that indulgence which is due to the blindness and infirmities of the human species, we shall not be inclined to load his memory with such violent reproaches as those which his enemies usually throw upon it. Amidst the passions and prejudices of that period, that he should prefer the parliamentary to the royal cause, will not appear extraordinary; since, even at present, some men of sense and knowledge are disposed to think that the question, with regard to the justice of the quarrel, may be regarded as doubtful and uncertain. The murder of the king, the most atrocious of all his actions, was to him covered under a mighty cloud of republican and fanatical illusions; and it is not impossible, but he might believe it, as many others did, the most meritorious action that he could perform. His subsequent usurpation was the effect of necessity, as well as of ambition; nor is it easy to see, how the various factions could at that time have been restrained, without a mixture of military and arbitrary authority. The private deportment of Cromwel, as a son, a husband, a father, a friend, is exposed to no considerable censure, if it does not rather merit praise. And, upon the whole, his character does not appear more extraordinary and unusual by the mixture of so much absurdity with so much penetration, than by his tempering such violent ambition and such enraged fanaticism with so much regard to justice and humanity.

Cromwel was in the fifty-ninth year of his age when he died. He was of a robust frame of body, and of a manly, though not of an agreeable aspect. He left only two sons, Richard and Henry; and three daughters, one married to general Fleetwood, another to lord Fauconberg, a third to lord Rich. His father died when he was young. His mother lived till after he was protector; and, contrary to her orders, he buried her with great pomp in Westminster Abbey. She could not be persuaded that his power or person was ever in safety. At every noise which she heard, she exclaimed, that her son was murdered; and was never satisfied that he was alive, if she did not receive frequent visits from him. She was a decent woman; and by her frugality and industry, had raised and educated a numerous family upon a small fortune. She had even been obliged to set up a brewery at Huntingdon, which she managed to good advantage. Hence Cromwel, in the invectives of

that age, is often stigmatized with the name death, who possessed a jointure of sixty pounds to the brewer. Ludlow, by way of insult, mentions the great accession, which he would receive to his royal revenues upon his mother's as is by some supposed, to the royal family.

NOTES.

1 Conference held at Whitehall.

2 See Milton's State Papers.

3 Parl. Hist. vol. xx. p. 182.

4 These are his expressions. "Indeed I have but one word more to say to you, though in that words I shall show my

to you to this word; give me leave to begin thus: I confess I never looked to have seen such a day as this, it may be you neither, when Jesus Christ should be so owned as he is this day and in this word. Jesus Christ is owned this day by your call, and you own him by your willingness to appear for him, and you manifest this (as far as poor creatures can do) to be a day of the power of Christ. I know you will remember that scripture, *he makes his people willing in the day of his power*. God manifest out to be the day of the power

rich blood and so much trial as has been upon this nation, he makes this one of the greatest mercies, next to his own son, to have his people called to the supreme authority. God hath owned his son, and hath owned you, and hath made you to own him. I confess, I never looked to have seen such a day: I did not!" I suppose at this passage he

repeating, and could at

State Papers, page 106. It is

confusion, embarrassment, and absurdity, which appear in almost all Oliver's productions.

5 Whitlocke, p. 544, 548.

6 Conference held at Whitehall.

7 It was usual for the intended saints at that time to change their names from Henry, Edward, Anthony, William, which they regarded as heathenish, into others more sanctified and godly: even the new Testament names, James, Andrew, John, Peter, were not held in such regard as those which were borrowed from the Old Testament, Heman, Heman, Joshua, Zerobabel. Sometimes a whole godly sentence was adopted as a name. Here are the names of a jury said to be enclosed in the county of Sussex about that time.

Accepted, Trevor of Norsham.

Redeemed, Compton of Battle.

Faint not, Hewit of Heathfield.

Make Peace, Heston of Hare.

God Reward, Smart of Fitchard.

Standfast on High, Stringer of Cronhurst.

Earth, Adams of Warbleton.

Called, Lower of the same.

Kill Sin, Pimple of Witham.

Return, Spelman of Watling.

Be Faithful, Joiner of Briding.

Fly Debate, Roberts of the same.

Fight the good Fight of Faith, White of Emer.

More Fruit, Fowler of East Hadley.

Hope for, Bending of the same.

Gracious, Harding of Lewes.

Weep not, Billing of the same.

Nick, Brewer of Ockham.

See *Brown's Travels in England*,

rel," says Cleveland,

the Old Testament. You may learn the genealogy of our Saviour by this

of this Prince god Barebone had for name, *If Christ had not died for you, you had been damned Barebone*. But the people, tired of this long name, re-

the application of *Demetrius*

8 Thurlow, vol. i. p. 275. 591. Also *St. Luke*, p. 91, 92.

9 Thurlow, vol. i. p. 393.

10 Thurlow, vol. ii. p. 429.

11 Thurlow, vol. i. p. 616.

12 Thurlow, vol. ii. p. 548.

13 Thurlow, vol. ii. p. 620.

14 Hist. vol. xv. p. 433.

15 *du* the *rel*

16 neglected the *rel*

17 the parthen

18 pension of 80000

divines.

17 Thurlow, vol. iii. p. 109, 619, 659. In

ted before the French king's

Thurlow, vol. vi. p. 116. See farther

vol. vii. p. 178.

France and Spain, by Thurlow, vol. i

p. 799.

19 He proposed to Sweden a general league

Whitlocke, p. 620. Thurlow, vol.

hi farther Thurlow, vol. iv

20 Thurlow, vol. i. p. 759.

21 Thurlow, vol. i. p. 799.

Thurlow, vol. i. p. 799.

Thurlow, vol. i. p. 799. Don Alon

said, that the Indian trade and the

question were his master's two eyes

the protector ed upon th

at both of t at once

in, p. 191.

25 Bat

Vin D. Berwick, p. 124.

1 Barchin's Naval History. See also

Carte's Collection, vol. ii

Thurlow, vol. iii. p. 505.

Thurlow, vol. iv. p. 135. World's Mis-

take in Oliver Cromwell, in the Harl.

Miscel. vol. i.

Thurlow, vol. iv. p. 570. 589.

Thurlow, vol. v. p. 433.

20th of April, 1657.

Cleveland, Life of Dr. Berwick, &c.

Cromwell himself, though but in part,

the advice which he received from

general Harrison, at the time when the

intimacy and endearment must strongly

subsisted betwixt them. "I let the

waiting upon Jehovah," said this mili-

tary saint, "be the greatest and a

considerable business you have every

day reckon it so, more than to eat, sleep, and counsel together. Run aside sometimes from your company, and get a word with the Lord. Why should not you have three or four previous souls always standing at your elbow, with whom you might now and then turn into a corner? I have found refreshment and mercy in such a way."

Milton's State Papers, p. 12.

35 Whitlocke, p. 647.

36 Bates.

37 Trial of the Regicides.

38 Bates.

39 Whitlocke, p. 570.

40 Thurlow, vol. iv. p. 57.

1 Thurlow, vol. vi. p. 557.

2 We shall produce any passage at random

for his discourse is all of a piece.

"I confess, for it behoves me to deal

plainly with you, I must confess, I

would say, I hope, I may be understood

in this; for indeed I must be tender

what I say to such an audience as this;

I say I would be understood, that in

this argument I do not make parallel

betwixt men of a different mind, and a

desires. I know there is

nor can it be urged in

words have the

parlia

as that, that is a tender of my humble

reasons and judgment and opinion to

them; and if I think they are such,

and will be such to them, and are satis-

factory in, and will be so to the

supreme authority, and the legislative,

wherever it is, I say, I should not

tell you knowing their minds to be

so, I should not be faithful, if I should

not tell you so, to the end you may

report it to the parliament: I shall say

something for myself, for my own mind,

I do profess it, I am not a man scrupulous

about words or names of such

things I have not; but as I have the

word of God, and I hope I shall ever

have it, for the rule of my conscience,

for my information; so truly men that

have been led in dark paths, through

the providence and dispensation of God;

why surely it is not to be objected to a

man; for who can love to walk in the

dark? But providence does so dispose.

And though a man may impute his own

folly and blindness to providence un-

happily, yet it must be at my peril; the

case may be that it is the providence of

God that doth lead men in darkness;

I must needs say, that I have had a great

deal of experience of providence, and

though it is no rule without or against

the word, yet it is a very good expiator

of the word in many cases." Conference

at Whitehall.—The great defect in

Oliver's speeches, consists not in his

want of elevation, but in his want of

idea. The sagacity of his actions, and

the absurdity of his discourse, form the

most prodigious contrast that ever was

known. The collection of all his

speeches, letters, sermons (for he also

wrote sermons), would make a great

curiosity, and with a few exceptions,

might justly pass for one of the most unconsensual books in the world

43 Thurlow, vol. vi. p. 261

44 He aspired to get possession of Elsi and the passage of the Sound. See *World's Mistake in Oliver Cromwell*. He also endeavoured to get possession of Bremen Thurlow, vol. vi. p. 478.

45 It was remarked by the saints of time, that the battle was fought day which was held for a fast in don, so that as Fleetwood said (Thurlow, vol. vii. p. 139), "while we were

hath given a signal answer. The Lord has not only owned us in our work though, but

old experienced approved way

streights and difficulties." Cromwell's Letter to Blake and Montague, his brave admirals, is remarkable for the same spirit. Thurlow, vol. iv. p. 744.

"You have," says he, "as I verily believe, and am persuaded, a plentiful stock of prayers going for you daily, sent up by the soberest and most approved ministers and Christians in this nation, and, notwithstanding some discouragements, very much wrestling of faith for you, which are to us, and I trust will be to you, matter of great encouragement. It notwithstanding all this, it will be good for you and us to deliver up ourselves and all our affairs to the disposal

to be resigned unto by his creatures, especially those who are children of his begetting through the spirit," &c.

46 Thurlow, vol. i. p. 762.

47 Thurlow, vol. vii. p. 151, 158.

48 In reality the cardinal had not entertained so high an idea of Cromwell. He used to say, that he was a fortunate man Van de Cromwel, par Reguener. See also Charte's Collection, vol. ii. p. 41. Gumble's Life of Monk, p. 33. World's Mistake in O. Cromwell.

49 Thurlow, vol. vi. p. 13

50 Bates: See also Thurlow, vol. vii. p. 355, 416.

51 Cowley's Discourses: This passage is altered in some particulars from the

his goodness wisdom, and truth, ought

CHAPTER LXII.

Richard acknowledged Protector.—A Parliament.—Cabal of Wallingford-house.—Richard deposed.—Long Parliament or Rump restored.—Conspiracy of the Royalists.—Insurrection suppressed.—Parliament expelled.—Committee of Safety.—Foreign Affairs.—General Monk.—Monk declares for the Parliament.—Parliament restored.—Monk enters London, declares for a Free Parliament.—Secluded Members restored.—Long Parliament dissolved.—New Parliament.—The Restoration.—Manners and Arts.

ALL the arts of Cromwel's policy had been so often practised, that they began to lose their effect; and his power, instead of being confirmed by time and success, seemed every day to become more uncertain and precarious. His friends the most closely connected with him, and his counsellors the most trusted, were entering into cabals against his authority; and, with all his penetration into the characters of men, he could not find any ministers on whom he could rely. Men of probity and honour, he knew, would not submit to be the instruments of an usurpation violent and illegal: those who were free from the restraint of principle, might betray, from interest, that cause, in which, from no better motives, they had enlisted themselves. Even those on whom he conferred any favour, never deemed the recompense an equivalent for the sacrifices which they made to obtain it: whoever was refused any demand, justified his anger by the specious colours of conscience and of duty. Such difficulties surrounded the protector, that his dying at so critical a time is esteemed by many the most fortunate circumstance that ever attended him; and it was thought, that all his courage and dexterity could not much longer have extended his usurped administration.

RICHARD ACKNOWLEDGED PROTECTOR.

BUT when that potent hand was removed, which conducted the government, every one expected a sudden dissolution of the unwieldy and ill-jointed fabric. Richard, a young man of no experience, educated in the country, accustomed to a retired life, unacquainted with the officers and unknown to them, recommended by no military exploits, endeared by no familiarities, could not long, it was thought, maintain that authority, which his father had acquired by so many valorous achievements and such signal successes. And when it was observed, that he possessed only the virtues of private life, which in his situation were so many vices; that indolence, incapacity, irresolution, attended his facility and good nature; the various hopes of men were excited by the expectation of some great event or revolution. For some time, however, the public was disappointed

in this opinion. The council recognised the succession of Richard: Fleetwood, in whose favour, it was supposed, Cromwel had formerly made a will, renounced all claim or pretension to the protectorship: Henry, Richard's brother, who governed Ireland with popularity, ensured him the obedience of that kingdom: Monk, whose authority was well established in Scotland, being much attached to the family of Cromwel, immediately proclaimed the new protector: the army, every where, the fleet, acknowledged his title: above ninety addresses, from the counties and most considerable corporations, congratulated him on his accession, in all the terms of dutiful allegiance: foreign ministers were forward in paying him the usual compliments: and Richard, whose moderate, unambitious character, never would have led him to contend for empire, was tempted to accept of so rich an inheritance, which seemed to be tendered to him by the consent of all mankind.

A PARLIAMENT. 1659.

IT was found necessary to call a parliament, in order to furnish supplies, both for the ordinary administration, and for fulfilling those engagements with foreign princes, particularly Sweden, into which the late protector had entered. In hopes of obtaining greater influence in elections, the ancient right was restored to all the small boroughs; and the counties were allowed no more than their usual members. The house of peers, or the other house, consisted of the same persons that had been appointed by Oliver.

All the commons, at first, signed, without hesitation, an engagement not to alter the present government. (17th Jan.) They next proceeded to examine the *humble petition and advice*; and after great opposition and many vehement debates, it was at length, with much difficulty, carried by the court-party to confirm it. An acknowledgment too of the authority of the other house was extorted from them; though it was resolved not to treat this house of peers with any greater respect than they should return to the commons. A declaration was also made, that the establishment of the

other house should nowise prejudice the right of such of the ancient peers as had, from the beginning of the war, adhered to the parliament. But in all these proceedings, the opposition among the commons was so considerable, and the debates were so much prolonged, that all business was retarded, and great alarm given to the partisans of the young protector.

But there was another quarter from which greater dangers were justly apprehended. The most considerable officers of the army, and even Fleetwood, brother-in-law to the protector, were entering into cabals against him. No character in human society is more dangerous than that of the fanatic; because, if attended with weak judgment, he is exposed to the suggestions of others; if supported by more discernment, he is entirely governed by his own illusions, which sanctify his most selfish views and passions. Fleetwood was of the former species; and as he was extremely addicted to a republic, and even to the fifth monarchy or dominion of the saints, it was easy for those, who had insinuated themselves into his confidence, to instil disgusts against the dignity of protector. The whole republican party in the army, which was till considerable, Fitz, Mason, Moss, Farley, united themselves to that general. The officers too of the same party, whom Cronwel had discarded, Overton, Ludlow, Rich, Okey, Alured, began to appear, and to recover that authority, which had been only for a time suspended. A party likewise, who found themselves eclipsed in Richard's favour, Sydenham, Kelsey, Berry, Haimes, joined the cabal of the others. Even Desborow, the protector's uncle, lent his authority to that faction. But above all, the intrigues of Lambert, who was now roused from his retreat, inflamed all those dangerous humours, and threatened the nation with some great convulsion. The discontented officers established their meetings in Fleetwood's apartments; and because he dwelt in Wallingford-house, the party received a denomination from that place.

CABAL OF WALLINGFORD-HOUSE.

RICHARD, who possessed neither resolution nor penetration, was prevailed on to give an ungarded consent for calling a general council of officers, who might make him proposals, as they pretended, for the good of the army. No sooner were they assembled than they voted a remonstrance. They there lamented, that *the good old cause*, as they termed it, that is, the cause for which they had engaged against the late king, was entirely neglected; and they proposed as a remedy, that the whole military power should be intrusted to some person, in whom they might all confide. The city militia, influenced by two aldermen, Tichburn and

Ireton, expressed the same resolution of adhering to *the good old cause*.

The protector was justly alarmed at those movements among the officers. The persons in whom he chiefly confided, were, all of them, excepting Broghill, men of civil characters and professions; Fiennes, Thurloe, Whitlocke, Wolsey; who could only assist him with their advice and opinion. He possessed none of those arts which were proper to gain an enthusiastic army. Murmurs being thrown out against some promotions which he had made, *Would you have me, said he, prefer none but the godly? Here is Dick Inghelshby, continued he, who can neither pray nor preach; yet will I trust him before ye all.*¹ This imprudence gave great offence to the pretended saints. The other qualities of the protector were correspondent to these sentiments: he was of a gentle, humane, and generous disposition. Some of his party offering to put an end to those intrigues by the death of Lambert, he declared, that he would not purchase power or dominion by such sanguinary measures.

RICHARD DEPOSED. April 22.

THE parliament was no less alarmed at the military cabals. They voted that there should be no meeting or general council of officers, except with the protector's consent, or by his orders. This vote brought affairs immediately to a rupture. The officers hastened to Richard, and demanded of him the dissolution of the parliament. Desborow, a man of clownish and brutal nature, threatened him, if he should refuse compliance. The protector wanted the resolution to deny, and possessed little ability to resist. The parliament was dissolved; and by the same act, the protector was, by every one, considered as effectually dethroned. Soon after, he signed his demission in form.

Henry, the deputy of Ireland, was endowed with the same moderate disposition as Richard; but as he possessed more vigour and capacity, it was apprehended that he might make resistance. His popularity in Ireland was great; and even his personal authority, notwithstanding his youth, was considerable. Had his ambition been very eager, he had, no doubt, been able to create disturbance: but being threatened by sir Hardress Waller, colonel John Jones, and other officers, he very quietly resigned his command, and retired to England. He had once entertained thoughts, which he had not resolution to execute, of proclaiming the king in Dublin.

Thus fell suddenly, and from an enormous height, but by a rare fortune, without any hurt or injury, the family of the Cromwells. Richard continued to possess an estate which was moderate, and burthened too with a large debt, which he had contracted for the inter-

ment of his father. After the restoration, though he remained unmolested, he thought proper to travel for some years; and at Pezenas, in Languedoc, he was introduced, under a borrowed name, to the prince of Conti. That prince, talking of English affairs, broke out into admiration of Cromwel's courage and capacity. "But as for that poor pitiful fellow, Richard," said he, "what has become of him? How could he be such a blockhead as to reap no greater benefit from all his father's crimes and successes?" Richard extended his peaceful and quiet life to an extreme old age, and died not till the latter end of queen Anne's reign. His social virtues, more valuable than the greatest capacity, met with a recompense, more precious than noisy fame, and more suitable, contentment and tranquillity.

The council of officers, now possessed of supreme authority, deliberated what form of government they should establish. Many of them seemed inclined to exercise the power of the sword in the most open manner: but as it was apprehended that the people would with great difficulty be induced to pay taxes, levied by arbitrary will and pleasure; it was agreed to preserve the shadow of civil administration, and to revive the long parliament, which had been expelled by Cromwel. That assembly could not be dissolved, it was asserted, but by their own consent; and violence had interrupted, but was not able to destroy, their right to government. The officers also expected that, as these members had sufficiently felt their own weakness, they would be contented to act in subordination to the military commanders, and would thenceforth allow all the authority to remain where the power was so visibly vested.

The officers applied to Lenthal, the speaker, and proposed to him, that the parliament should resume their seats. Lenthal was of a low, timid spirit; and being uncertain what issue might attend these measures, was desirous of evading the proposal. He replied, that he could by no means comply with the desire of the officers, being engaged in a business of far greater importance to himself, which he could not omit on any account, because it concerned the salvation of his own soul. The officers pressed him to tell what it might be. He was preparing, he said, to participate of the Lord's supper, which he resolved to take next sabbath. They insisted, that mercy was preferable to sacrifice, and that he could not better prepare himself for that great duty, than by contributing to the public service. All their remonstrances had no effect. However, on the appointed day, the speaker, being informed that a quorum of the house was likely to meet, thought proper, notwithstanding the salvation of his soul, as Ludlow observes, to join them; and the house immediately pro-

ceeded upon business. The secluded members attempted, but in vain, to resume their seats among them.

LONG PARLIAMENT OR RUMP RESTORED.

The numbers of this parliament were small, little exceeding seventy members: their authority in the nation, ever since they had been purged by the army, was extremely diminished; and after their expulsion, had been totally annihilated; but being all of them men of violent ambition; some of them men of experience and capacity; they were resolved, since they enjoyed the title of the supreme authority, and observed that some appearance of a parliament was requisite for the purposes of the army, not to act a subordinate part to those who acknowledged themselves their servants. They chose a council, in which they took care that the officers of Wallingford-house should not be the majority: they appointed Fleetwood lieutenant-general, but inserted in his commission, that it should only continue during the pleasure of the house: they chose seven persons who should nominate to such commands as became vacant: and they voted, that all commissions should be received from the speaker, and be assigned by him in the name of the house. These precautions, the tendency of which was visible, gave great disgust to the general officers; and their discontent would immediately have broken out into some resolution fatal to the parliament, had it not been checked by the apprehension of danger from the common enemy.

The bulk of the nation consisted of royalists, and presbyterians; and to both these parties the dominion of the pretended parliament had ever been to the last degree odious. When that assembly was expelled by Cromwel, contempt had succeeded to hatred; and no reserve had been used in expressing the utmost derision against the impotent ambition of these usurpers. Seeing them reinstated in authority, all orders of men felt the highest indignation; together with apprehensions, lest such tyrannical rulers should exert their power by taking vengeance upon their enemies, who had so openly insulted them. A secret reconciliation, therefore, was made between the rival parties; and it was agreed, that, burying former enmities in oblivion, all efforts should be used for the overthrow of the rump; so they called the parliament, in allusion to that part of the animal body. The presbyterians, sensible, from experience, that their passion for liberty, however laudable, had carried them into unwarrantable excesses, were willing to lay aside ancient jealousies, and, at all hazards, to restore the royal family. The nobility, the gentry, bent their passionate endeavours to the

same enterprise, by which alone they could be redeemed from slavery. And no man was so remote from party, so indifferent to public good, as not to feel the most ardent wishes for the dissolution of that tyranny which, whether the civil or the military part of it were considered, appeared equally oppressive and ruinous to the nation.

CONSPIRACY OF THE ROYALISTS.

MORDAUNT, who had so narrowly escaped on his trial before the high-court of justice, seemed rather animated than daunted with past danger; and having, by his resolute behaviour, obtained the highest confidence of the royal party, he was now become the centre of all their conspiracies. In many counties, a resolution was taken to rise in arms. Lord Willoughby of Parham and sir Horatio Townshend undertook to secure Lyme; general Massy engaged to seize Gloucester; lord Newport, Littleton, and other gentlemen, conspired to take possession of Shrewsbury; sir George Booth, of Chester; sir Thomas Middleton, of North Wales; Arundel, Pollard, Granville, Trelawney, of Plymouth and Exeter. A day was appointed for the execution of all these enterprises. And the king, attended by the duke of York, had secretly arrived at Calais, with a resolution of putting himself at the head of his loyal subjects. The French court had promised to supply him with a small body of forces, in order to countenance the insurrections of the English.

This combination was disconcerted by the infidelity of sir Richard Willis. That traitor continuing with the parliament the same correspondence which he had begun with Cromwell. He had engaged to reveal all conspiracies, so far as to destroy their effect; but reserved to himself, if he pleased, the power of concealing the conspirators. He took care never to name any of the old, genuine cavaliers, who had zealously adhered, and were resolved still to adhere, to the royal cause in every fortune. These men he esteemed; these he even loved. He betrayed only the new converts among the presbyterians, or such lukewarm royalists, as, discouraged with their disappointments, were resolved to expose themselves to no more hazards. A lively proof how impossible it is even for the most corrupted minds to divest themselves of all regard to morality and social duty!

In July, many of the conspirators in the different counties were thrown into prison: others, astonished at such symptoms of secret treachery, left their houses, or remained quiet: the most tempestuous weather prevailed during the whole time appointed for the rendezvous; insomuch that some found it impossible to join their friends, and others were dismayed

with fear and superstition at an incident so unusual during the summer season. Of all the projects, the only one which took effect was that of sir George Booth for the seizing of Chester. The earl of Derby, lord Herbert of Cherbury, Mr. Lee, colonel Morgan, entered into this enterprise. Sir William Middleton joined Booth with some troops from North-Wales; and the malcontents were powerful enough to subdue all in that neighbourhood who ventured to oppose them. In their declaration they made no mention of the king they only demanded a free and full parliament.

The parliament was justly alarmed. How combustible the materials, they well knew; and the fire was now fallen among them. Booth was of a family eminently presbyterian; and his conjunction with the royalists they regarded as a dangerous symptom. They had many officers whose fidelity they could more depend on than that of Lambert: but there was no one in whose vigilance and capacity they reposed such confidence. They commissioned him to suppress the rebels. He made incredible haste. Booth imprudently ventured himself out of the walls of Chester, and exposed, in the open field, his raw troops against these hardy veterans. He was soon routed and taken prisoner. His whole army was dispersed. And the parliament had no farther occupation than to fill all the jails with their open or secret enemies. Designs were even entertained of transporting the loyal families to Barbadoes, Jamaica, and the other colonies; lest they should propagate in England children of the same malignant affections with themselves.

This success hastened the ruin of the parliament. Lambert at the head of a body of troops, was no less dangerous to them than Booth. A thousand pounds, which they sent him to buy a jewel, were employed by him in liberalities to his officers. At his instigation they drew up a petition, and transmitted it to Fleetwood, a weak man, and an honest, if sincerity in folly deserve that honourable name. The import of this petition was, that Fleetwood should be made commander in chief, Lambert major-general, Desborow lieutenant-general of the horse, Monk major-general of the foot. To which a demand was added, that no officer should be dismissed from his command but by a court-martial.

The parliament, alarmed at the danger, immediately cashiered Lambert, Desborow, Berry, Clarke, Barrow, Kelsey, Cobbet. Sir Arthur Hazelrig proposed the impeachment of Lambert for high treason. Fleetwood's commission was vacated, and the command of the army was vested in seven persons, of whom that general was one. The parliament voted, that they would have no more general officers. And they declared it high treason to levy any money without consent of parliament.

PARLIAMENT EXPELLED. Oct. 13.

BUT these votes were feeble weapons in opposition to the swords of the soldiery. Lambert drew some troops together, in order to decide the controversy. Okey, who was leading his regiment to the assistance of the parliament, was deserted by them. Morley and Moss brought their regiments into Palace-yard, resolute to oppose the violence of Lambert. But that artful general knew an easy way of dis-appointing them. He placed his soldiers in the streets which led to Westminster-hall. When the speaker came in his coach, he ordered the horses to be turned, and very civilly conducted him home. The other members were in like manner intercepted. And the two regiments in Palace-yard, observing that they were exposed to derision, peaceably retired to their quarters. A little before this bold enterprise, a solemn fast had been kept by the army; and it is remarked, that this ceremony was the usual prelude to every signal violence which they committed.

COMMITTEE OF SAFETY. Oct. 26.

THE officers found themselves again invested with supreme authority, of which they intended for ever to retain the substance, however they might bestow on others the empty shadow or appearance. They elected a committee of twenty-three persons, of whom seven were officers. These they pretended to invest with sovereign authority; and they called them a *committee of safety*. They spoke every where of summoning a parliament chosen by the people; but they really took some steps towards assembling a military parliament, composed of officers elected from every regiment in the service.³ Throughout the three kingdoms there prevailed nothing but the melancholy fears, to the nobility and gentry, of a bloody massacre and extermination; to the rest of the people, of perpetual servitude, beneath those sanctified robbers, whose union and whose divisions would be equally destructive, and who, under pretence of superior illuminations, would soon extirpate, if possible, all private morality, as they had already done all public law and justice from the British dominions.

FOREIGN AFFAIRS.

DURING the time that England continued in this distracted condition, the other kingdoms of Europe were hastening towards a composure of those differences by which they had so long been agitated. The parliament, while it preserved authority, instead of following the imprudent politics of Cromwel, and lending

assistance to the conquering Swede, embraced the maxims of the Dutch commonwealth, and resolved, in conjunction with that state, to mediate by force an accommodation between the northern crowns. Montague was sent with a squadron to the Baltic, and carried with him as ambassador Algernon Sidney, the celebrated republican. Sidney found the Swedish monarch employed in the siege of Copenhagen, the capital of his enemy; and was highly pleased, that, with a Roman arrogance, he could check the progress of royal victories, and display in so signal a manner the superiority of freedom above tyranny. With the highest indignation, the ambitious prince was obliged to submit to the imperious mediation of the two commonwealths. "It is cruel," said he, "that laws should be prescribed me by parricides and pedlars." But his whole army was enclosed in an island, and might be starved by the combined squadrons of England and Holland. He was obliged, therefore, to quit his prey, when he had so nearly gotten possession of it; and having agreed to a pacification with Denmark, he retired into his own country, where he soon after died.

The wars between France and Spain were also concluded by the treaty of the Pyrenees. These animosities had long been carried on between the rival states, even while governed by a sister and brother, who cordially loved and esteemed each other. But politics, which had so long prevailed over these friendly affections, now at last yielded to their influence; and never was the triumph more full and complete. The Spanish Low Countries, if not every part of that monarchy, lay almost entirely at the mercy of its enemy. Broken armies, disordered finances, slow and irresolute counsels; by these resources alone were the dispersed provinces of Spain defended against the vigorous power of France. But the queen regent, anxious for the fate of her brother, employed her authority with the cardinal to stop the progress of the French conquests, and put an end to a quarrel which, being commenced by ambition, and attended with victory, was at last concluded with moderation. The young monarch of France, though aspiring and warlike in his character, was at this time entirely occupied in the pleasures of love and gallantry, and had passively resigned the reins of empire into the hands of his politic minister. And he remained an unconcerned spectator; while an opportunity for conquest was parted with, which he never was able, during the whole course of his active reign, fully to retrieve.

The ministers of the two crowns, Mazarine and don Louis de Haro, met at the foot of the Pyrenees, in the isle of Pheasants, a place which was supposed to belong to neither kingdom. The negotiation being brought to

an issue by frequent conferences between the ministers, the monarchs themselves agreed to a congress: and these two splendid courts appeared in their full lustre amidst those savage mountains. Philip brought his daughter, Mary Therese, along with him; and giving her in marriage to his nephew, Louis, endeavoured to cement by this new tie the incompatible interests of the two monarchies. The French king made a solemn renunciation of every succession, which might accrue to him in right of his consort: a vain formality, too weak to restrain the ungoverned ambition of princes.

The affairs of England were in so great disorder, that it was not possible to comprehend that kingdom in the treaty, or adjust measures with a power which was in such incessant fluctuation. The king, reduced to despair by the failure of all enterprises for his restoration, was resolved to try the weak resource of foreign succours; and he went to the Pyrenees at the time when the two ministers were in the midst of their negotiations. Don Louis received him with that generous civility peculiar to his nation; and expressed great inclination, had the low condition of Spain allowed him, to give assistance to the distressed monarch. The cautious Mazarine, pleading the alliance of France with the English commonwealth, refused even to see him; and though the king offered to marry the cardinal's niece,⁴ he could, for the present, obtain nothing but empty professions of respect, and protestations of services. The condition of that monarch, to all the world, seemed totally desperate. His friends had been baffled in every attempt for his service: the scaffold had often streamed with the blood of the more active royalists: the spirits of many were broken with tedious imprisonments: the estates of all were burthened by the fines and confiscations which had been levied upon them: no one durst openly avow himself of that party: and so small did their number seem to a superficial view, that, even should the nation recover its liberty, which was deemed nowise probable, it was judged uncertain what form of government it would embrace. But amidst all these gloomy prospects, fortune, by a surprising revolution, was now paving the way for the king to mount, in peace and triumph, the throne of his ancestors. It was by the prudence and loyalty of general Monk, that this happy change was at last accomplished.

GENERAL MONK.

GEORGE MONK, to whom the fate was reserved of re-establishing monarchy, and finishing the bloody dissensions of three kingdoms, was the second son of a family in Devonshire, ancient and honourable, but lately, from too great hospitality and expence, somewhat fallen

to decay. He betook himself, in early youth, to the profession of arms; and was engaged in the unfortunate expeditions to Cadiz and the isle of Rhé. After England had concluded peace with all her neighbours, he sought military experience in the Low Countries, the great school of war to all the European nations; and he rose to the command of a company under lord Goring. This company consisted of 200 men, of whom a hundred were volunteers, often men of family and fortune, sometimes noblemen who lived upon their own income in a splendid manner. Such a military turn at that time prevailed among the English.

When the sound of war was first heard in this island, Monk returned to England, partly desirous of promotion in his native country, partly disgusted with some ill usage from the States, of which he found reason to complain. Upon the Scottish pacification, he was employed by the earl of Leicester against the Irish rebels; and having obtained a regiment, was soon taken notice of, for his military skill, and for his calm and deliberate valour. Without ostentation, expence, or caresses, merely by his humane and equal temper, he gained the good-will of the soldiery; who, with a mixture of familiarity and affection, usually called him *honest George Monk*: an honourable appellation, which they still continued to him, even during his greatest elevation. He was remarkable for his moderation in party; and while all around him were inflamed into rage against the opposite faction, he fell under suspicion from the candour and tranquillity of his behaviour. When the Irish army was called over into England, surmises of this kind had been so far credited, that he had even been suspended from his command, and ordered to Oxford, that he might answer the charge laid against him. His established character for truth and sincerity here stood him in great stead; and upon his earnest protestations and declarations, he was soon restored to his regiment, which he joined at the siege of Nantwich. The day after his arrival, Fairfax attacked and defeated the royalists, commanded by Biron; and took Colonel Monk prisoner. He was sent to the Tower, where he endured, about two years, all the rigours of poverty and confinement. The king, however, was so mindful as to send him, notwithstanding his own difficulties, a present of 100 guineas; but it was not till after the royalists were totally subdued, that he recovered his liberty. Monk, however distressed, had always refused the most inviting offers from the parliament: but Cromwel, sensible of his merit, having solicited him to engage in the wars against the Irish, who were considered as rebels both by king and parliament, he was not unwilling to repair his broken

fortunes by accepting a command which, he flattered himself, was reconcilable to the strictest principles of honour. Having once engaged with the parliament, he was obliged to obey orders; and found himself necessitated to fight, both against the marquis of Ormond in Ireland, and against the king himself in Scotland. Upon the reduction of the latter kingdom, Monk was left with the supreme command; and by the equality and justice of his administration, he was able to give contentment to that restless people, now reduced to subjection by a nation whom they hated. No less acceptable was his authority to the officers and soldiers; and foreseeing, that the good-will of the army under his command might some time be of great service to him, he had, with much care and success, cultivated their friendship.

MONK DECLARES FOR THE PARLIAMENT.

THE connexions which he had formed with Cromwell, his benefactor, preserved him faithful to Richard, who had been enjoined by his father to follow in every thing the directions of general Monk. When the long parliament was restored, Monk, who was not prepared for opposition, acknowledged their authority, and was continued in his command, from which it would not have been safe to attempt dislodging him. After the army had expelled the parliament, he protested against the violence, and resolved, as he pretended, to vindicate their invaded privileges. Deeper designs, either in the king's favour or his own, were, from the beginning, suspected to be the motives of his actions.

A rivalry had long subsisted between him and Lambert; and every body saw the reason why he opposed the elevation of that ambitious general, by whose success his own authority, he knew, would soon be subverted. But little friendship had ever subsisted between him and the parliamentary leaders; and it seemed no wise probable, that he intended to employ his sword, and spend his blood, for the advancement of one enemy above another. How early he entertained designs for the king's restoration, we know not with certainty: it is likely, that as soon as Richard was deposed, he foresaw, that without such an expedient, it would be impossible ever to bring the nation to a regular settlement. His elder and younger brothers were devoted to the royal cause: the Granvilles, his near relations, and all the rest of his kindred, were in the same interests: he himself was intoxicated with no fumes of enthusiasm, and had maintained no connexions with any of the fanatical tribe. His early engagements had been with the king, and he had left that service without receiving any disgust

from the royal family. Since he had enlisted himself with the opposite party, he had been guilty of no violence or rigour, which might render him obnoxious. His return, therefore, to loyalty, was easy and open; and nothing could be supposed to counterbalance his natural propensity to that measure, except the views of his own elevation, and the prospect of usurping the same grandeur and authority which had been assumed by Cromwell. But from such exorbitant, if not impossible projects, the natural tranquillity and moderation of his temper, the calmness and solidity of his genius, not to mention his age, now upon the decline, seem to have set him at a distance. Cromwell himself, he always asserted³ could not long have maintained his usurpation; and any other person even equal to him in genius, it was obvious, would now find it more difficult to practise arts, of which every one, from experience, was sufficiently aware. It is more agreeable, therefore, to reason as well as candour, to suppose that Monk, as soon as he put himself in motion, had entertained views of effecting the king's restoration; nor ought any objections, derived from his profound silence even to Charles himself, to be regarded as considerable. His temper was naturally reserved; his circumstances required dissimulation: the king, he knew, was surrounded with spies and traitors; and upon the whole, it seems hard to interpret that conduct, which ought to exalt our idea of his prudence, as a disparagement of his probity.

Sir John Granville, hoping that the general would engage in the king's service, sent into Scotland his younger brother, a clergyman, Dr. Monk, who carried him a letter and invitation from the king. When the doctor arrived, he found that his brother was then holding a council of officers, and was not to be seen for some hours. In the mean time, he was received and entertained by Price, the general's chaplain, a man of probity, as well as a partisan of the king's. The doctor having an entire confidence in the chaplain, talked very freely to him about the object of his journey, and engaged him, if there should be occasion, to second his applications. At last, the general arrives; the brothers embrace; and after some preliminary conversation, the doctor opens his business. Monk interrupted him, to know whether he had ever before to any body mentioned the subject. "To no body," replied his brother, "but to Price, whom I know to be entirely in your confidence." The general, altering his countenance, turned the discourse; and would enter into no farther confidence with him, but sent him away with the first opportunity. He would not trust his own brother the moment he knew that he had disclosed the secret; though to a man whom he himself could have trusted.⁶

His conduct in all other particulars was full of the same reserve and prudence; and no less was requisite for effecting the difficult work which he had undertaken. All the officers in his army, of whom he entertained any suspicion, he immediately cashiered: Cobbet, who had been sent by the committee of safety, under pretence of communicating their resolutions to Monk, but really with a view of debauching his army, he committed to custody; he drew together the several scattered regiments: he summoned an assembly, somewhat resembling a convention of states; and having communicated to them his resolution of marching into England, he received a seasonable, though no great supply of money.

Hearing that Lambert was advancing northward with his army, Monk sent Clobery and two other commissioners to London, with large professions of his inclination to peace, and with offers of terms for an accommodation. His chief aim was to gain time, and relax the preparations of his enemies. The committee of safety fell into the snare. A treaty was signed by Monk's commissioners; but he refused to ratify it, and complained that they had exceeded their powers. He desired, however, to enter into a new negotiation at Newcastle. The committee willingly accepted this fallacious offer.

Meanwhile these military sovereigns found themselves surrounded on all hands with inextricable difficulties. The nation had fallen into total anarchy; and by refusing the payment of all taxes, reduced the army to the greatest necessities. While Lambert's forces were assembling at Newcastle, Hazelrig and Morley took possession of Portsmouth, and declared for the parliament. A party, sent to suppress them, was persuaded by their commander to join in the same declaration. The city apprentices rose in a tumult, and demanded a free parliament. Though they were suppressed by colonel Hewson, a man who from the profession of a cobbler had risen to a high rank in the army, the city still discovered symptoms of the most dangerous discontent. It even established a kind of separate government, and assumed the supreme authority within itself. Admiral Lawson with his squadron came into the river, and declared for the parliament. Hazelrig and Morley, hearing of this important event, left Portsmouth, and advanced towards London. The regiments near that city being solicited by their old officers, who had been cashiered by the committee of safety, revolted again to the parliament. Desborough's regiment, being sent by Lambert to support his friends, no sooner arrived at St. Alban's, than it declared for the same assembly.

Fleetwood's band was found too weak and unstable to support this ill-founded fabric, which, every where around him, was fallen

into ruins. When he received intelligence of any murmurs among the soldiers, he would prostrate himself in prayer, and could hardly be prevailed with to join the troops. Even when among them, he would, in the midst of any discourse, invite them all to prayer, and put himself on his knees before them. If any of his friends exhorted him to more vigour, they could get no other answer, than that God had spitten in his face, and would not hear him. Men now ceased to wonder why Lambert had promoted him to the office of general, and had contented himself with the second command in the army.

PARLIAMENT RESTORED.

Dec. 26.

LENTIAL, the speaker, being invited by the officers, again assumed authority, and summoned together the parliament, which twice before had been expelled with so much reproach and ignominy. As soon as assembled, they repealed their act against the payment of excise and customs; they appointed commissioners for assigning quarters to the army; and, without taking any notice of Lambert, they sent orders to the forces under his command immediately to repair to those quarters which were appointed them.

1660. Lambert was now in a very disconsolate condition. Monk, he saw, had passed the Tweed at Coldstream (1st Jan.), and was advancing upon him. His own soldiers deserted him in great multitudes, and joined the enemy. Lord Fairfax too, he heard, had raised forces behind him, and had possessed himself of York, without declaring his purpose. The last orders of the parliament so entirely stripped him of his army, that there remained not with him above a hundred horse: all the rest went to their quarters with quietness and resignation; and he himself was, some time after, arrested and committed to the Tower. The other officers, who had formerly been cashiered by the parliament, and who had resumed their commands, that they might subdue that assembly, were again cashiered and confined to their houses. Sir Harry Vane and some members who had concurred with the committee of safety, were ordered into a like confinement. And the parliament now seemed to be again possessed of more absolute authority than ever, and to be without any danger of opposition or control.

The republican party was at this time guided by two men, Hazelrig and Vane, who were of opposite characters, and mortally hated each other. Hazelrig, who possessed greater authority in the parliament, was haughty, imperious, precipitate, vain-glorious; without civility or prudence; qualified only by his noisy, pertinacious obstinacy to acquire an ascendancy

in public assemblies. Vane was noted, in all civil transactions, for temper, insinuation, address, and a profound judgment; in all religious speculations, for folly and extravagance. He was a perfect enthusiast; and fancying that he was certainly favoured with inspiration, he deemed himself, to speak in the language of the times, to be a *man above ordinances*, and, by reason of his perfection, to be unlimited and unrestrained by any rules, which govern inferior mortals. These whimsies, mingling with pride, had so corrupted his excellent understanding, that sometimes he thought himself the person deputed to reign on earth for a thousand years over the whole congregation of the faithful.⁷

Monk, though informed of the restoration of the parliament, from whom he received no orders, still advanced with his army, which was near 6000 men: the scattered forces in England were above five times more numerous. Fairfax, who had resolved to declare for the king, not being able to make the general open his intentions, retired to his own house in Yorkshire. In all counties through which Monk passed, the prime gentry flocked to him with addresses; expressing their earnest desire, that he would be instrumental in restoring the nation to peace and tranquillity, and to the enjoyment of those liberties, which by law were their birth-right, but of which, during so many years, they had been fatally bereaved: and that, in order to this salutary purpose, he would prevail, either for the restoring of those members who had been secluded before the king's death, or for the election of a new parliament, who might legally, and by general consent, again govern the nation. Though Monk pretended not to favour these addresses, that ray of hope, which the knowledge of his character and situation afforded, mightily animated all men. The tyranny and the anarchy, which now equally oppressed the kingdom; the experience of past distractions, the dread of future convulsions, the indignation against military usurpation, against sanctified hypocrisy: all these motives had united every party, except the most desperate, into ardent wishes for the king's restoration, the only remedy for all these fatal evils.

Scot and Robinson were sent as deputies by the parliament, under pretence of congratulating the general, but in reality to serve as spies upon him. The city dispatched four of their principal citizens to perform like compliments; and at the same time to confirm the general in his inclination to a free parliament, the object of all men's prayers and endeavours. The authority of Monk could scarcely secure the parliamentary deputies from those insults, which the general hatred and contempt towards their masters drew from men of every rank and denomination.

MONK ENTERS LONDON. Feb. 3.

MONK continued his march with few interruptions till he reached St. Albans. He there sent a message to the parliament, desiring them to remove from London those regiments, which, though they now professed to return to their duty, had so lately offered violence to that assembly. This message was unexpected and exceedingly perplexed the house. Their fate, they found, must still depend on a mercenary army; and they were as distant as ever from their imaginary sovereignty. However, they found it necessary to comply. The soldiers made more difficulty. A mutiny arose among them. One regiment, in particular, quartered

Somerset-house, expressly refused to yield their place to the northern army. But those officers who would gladly, on such an occasion, have inflamed the quarrel, were absent or in confinement; and for want of leaders, the soldiers were at last, with great reluctance, obliged to submit. Monk with his army took quarters in Westminster.

The general was introduced to the house (6th Feb.); and thanks were given by Lenthall for the eminent services which he had done his country. Monk was a prudent not an eloquent speaker. He told the house, that the services, which he had been enabled to perform, were no more than his duty, and merited not such praises as those with which they were pleased to honour him: that among many persons of greater worth, who bore their commission, he had been employed as the instrument of providence for effecting their restoration; but he considered this service as a step only to more important services, which it was their part to render to the nation: that while on his march, he observed all ranks of men, in all places, to be in earnest expectation of a settlement, after the violent convulsions, to which they had been exposed; and to have no prospect of that blessing but from the dissolution of the present parliament and from the summoning of a new one, free and full, who, meeting without oaths or engagements, might finally give contentment to the nation: that applications had been made to him for that purpose; but that he, sensible of his duty, had still told the petitioners, that the parliament itself, which was now free, and would soon be full, was the best judge of all these measures, and that the whole community ought to acquiesce in their determination. That though he expressed himself in this manner to the people, he must now freely inform the house, that the fewer engagements were exacted, the more comprehensive would the plan prove, and the more satisfaction would it give to the nation: and that it was sufficient for public security, if the fanatical party and the royalists were excluded; since the prin-

ciples of these factions were destructive either of government or of liberty.

This speech, containing matter which was both agreeable and disagreeable to the house as well as to the nation, still kept every one in suspense, and upheld that uncertainty, in which it seemed the general's interest to retain the public. But it was impossible for the kingdom to remain long in this doubtful situation: the people, as well as the parliament, pushed matters to a decision. During the late convulsions, the payment of taxes had been interrupted; and though the parliament, upon their assembling, renewed the ordinances for impositions, yet so little reverence did the people pay to those legislators, that they gave very slow and unwilling obedience to their commands. The common council of London flatly refused to submit to an assessment required of them; and declared that, till a free and lawful parliament imposed taxes, they never should deem it their duty to make any payment. This resolution, if yielded to, would immediately have put an end to the dominion of the parliament: they were determined, therefore, upon this occasion, to make at once a full experiment of their own power, and of their general's obedience.

Monk received orders (9th Feb.) to march into the city; to seize twelve persons, the most obnoxious to the parliament, to remove the posts and chains from all the streets; and to take down and break the portcullises and gates of the city: and very few hours were allowed him to deliberate upon the execution of these violent orders. To the great surprise and consternation of all men, Monk prepared himself for obedience. Neglecting the entreaties of his friends, the remonstrances of his officers, the cries of the people, he entered the city in a military manner; he apprehended as many as he could of the proscribed persons, whom he sent to the Tower; with all the circumstances of contempt he broke the gates and portcullises; and having exposed the city to the scorn and derision of all who hated it, he returned in triumph to his quarters in Westminster.

DECLARES FOR A FREE PARLIAMENT.

No sooner had the general leisure to reflect, than he found, that this last measure, instead of being a continuation of that cautious ambiguity, which he had hitherto maintained, was taking party without reserve, and laying himself, as well as the nation, at the mercy of that tyrannical parliament, whose power had long been odious, as their persons contemptible, to all men. He resolved, therefore, before it were too late, to repair the dangerous mistake into which he had been betrayed, and to show the whole world, still more without

reserve, that he meant no longer to be the minister of violence and usurpation. After complaining of the odious service in which he had been employed, he wrote a letter to the house (11th Feb.), reproaching them, as well with the new cabals which they had formed with Vane and Lambert, as with the encouragement given to a fanatical petition presented by Praisegod Barebone; and he required them, in the name of the citizens, soldiers, and whole commonwealth, to issue writs, within a week, for the filling of their house, and to fix the time for their own dissolution and the assembling of a new parliament. Having dispatched this letter, which might be regarded, he thought, as an undoubted pledge of his sincerity, he marched with his army into the city, and desired Allen, the mayor, to summon a common-council at Guildhall. He there made many apologies for the indignity which, two days before, he had been obliged to put upon them; assured them of his perseverance in the measures which he had adopted; and desired that they might mutually plight their faith for a strict union between city and army, in every enterprise for the happiness and settlement of the commonwealth.

It would be difficult to describe the joy and exultation which displayed itself throughout the city, as soon as intelligence was conveyed of this happy measure, embraced by the general. The prospect of peace, concord, liberty, justice, broke forth at once, from amidst the deepest darkness in which the nation had ever been involved. The view of past calamities no longer presented dismal prognostics of the future: it tended only to enhance the general exultation for those scenes of happiness and tranquillity, which all men now confidently promised themselves. The royalists, the presbyterians, forgetting all animosities, mingled in common joy and transport, and vowed never more to gratify the ambition of false and factious tyrants, by their calamitous divisions. The populace, more outrageous in their festivity, made the air resound with acclamations, and illuminated every street with signals of jollity and triumph. Applauses of the general were every where intermingled with detestation against the parliament. The most ridiculous inventions were adopted, in order to express this latter passion. At every bonfire rumps were roasted, and where these could no longer be found, pieces of flesh were cut into that shape; and the funeral of the parliament (the populace exclaimed) was celebrated by these symbols of hatred and derision.

The parliament, though in the agonies of despair, made still one effort for the recovery of their dominion. They sent a committee with offers to gain the general. He refused to hear them, except in the presence of some of the secluded members. Though several

persons, desperate from guilt and fanaticism, promised to invest him with the dignity of supreme magistrate, and to support his government, he would not hearken to such wild proposals. Having fixed a close correspondence with the city, and established its militia in hands whose fidelity could be relied on, he returned with his army to Westminster, and pursued every proper measure for the settlement of the nation. While he still pretended to maintain republican principles, he was taking large steps towards the re-establishment of the ancient monarchy.

SECLUDED MEMBERS RESTORED.

Feb. 21.

THE secluded members, upon the general's invitation, went to the house, and finding no longer any obstruction, they entered, and immediately appeared to be the majority: most of the independents left the place. The restored members first repealed all the ordinances by which they had been excluded: they gave sir George Boothe and his party their liberty and estates: they renewed the general's commission, and enlarged his powers: they fixed an assessment for the support of the fleet and army: and having passed these votes for the present composure of the kingdom, they dissolved themselves (16th Mar.), and issued writs for the immediate assembling of a new parliament. This last measure had been previously concerted with the general, who knew that all men, however different in affections, expectations, and designs, united in the detestation of the long parliament.

A council of state was established, consisting of men of character and moderation; most of whom, during the civil wars, had made a great figure among the presbyterians. The militia of the kingdom was put into such hands as would promote order and settlement. These conjoined with Monk's army, which lay united at London, were esteemed a sufficient check on the more numerous, though dispersed army, of whose inclinations there was still much reason to be diffident. Monk, however, was every day removing the more obnoxious officers, and bringing the troops to a state of discipline and obedience.

Overton, governor of Hull, had declared his resolution to keep possession of that fortress till the coming of king Jesus: but when Alured produced the authority of parliament for his delivering the place to colonel Fairfax, he thought proper to comply.

Montague, who commanded the fleet in the Baltic, had entered into the conspiracy with sir George Boothe; and pretending want of provisions, had sailed from the Sound towards the coast of England, with an intention of supporting that insurrection of the royalists.

On his arrival he received the news of Boothe's defeat, and the total failure of the enterprise. The great difficulties, to which the parliament was then reduced, allowed them no leisure to examine strictly the reasons which he gave for quitting his station; and they allowed him to retire peaceably to his country-house. The council of state now conferred on him, in conjunction with Monk, the command of the fleet; and secured the naval, as well as military force, in hands favourable to the public settlement.

Notwithstanding all these steps which were taking towards the re-establishment of monarchy, Monk still maintained the appearance of zeal for a commonwealth, and hitherto allowed no canal of correspondence between himself and the king to be opened. To call a free parliament, and to restore the royal family, were visibly, in the present disposition of the kingdom, one and the same measure: yet would not the general declare, otherwise than by his actions, that he had adopted the king's interests; and nothing but necessity extorted at last the confession from him. His silence, in the commencement of his enterprise, ought to be no objection to his sincerity; since he maintained the same reserve at a time, when, consistent with common sense, he could have entertained no other purpose. [*See note (U) at the end of this Vol.*]

There was one Morrice, a gentleman of Devonshire, of a sedentary, stultious disposition, nearly related to Monk, and one who had always maintained the strictest intimacy with him. With this friend alone did Monk deliberate concerning that great enterprise, which he had projected. Sir John Granville, who had a commission from the king, applied to Morrice for access to the general; but received for answer, that the general desired him to communicate his business to Morrice. Granville, though importunately urged, twice refused to deliver his message to any but Monk himself; and this cautious politician, finding him now a person, whose secrecy could be safely trusted, admitted him to his presence, and opened to him his whole intentions. Still he scrupled to commit any thing to writing: he delivered only a verbal message by Granville; assuring the king of his services, giving advice for his conduct, and exhorting him instantly to leave the Spanish territories, and retire into Holland. He was apprehensive lest Spain might detain him as a pledge for the recovery of Dunkirk and Jamaica. Charles followed these directions, and very narrowly escaped to Breda. Had he protracted his journey a few hours, he had certainly, under pretence of honour and respect, been arrested by the Spaniards.

Lockhart, who was governor of Dunkirk, and nowise averse to the king's service, was applied to on this occasion. The state of

England was set before him, the certainty of the restoration represented, and the prospect of great favour displayed, if he would anticipate the vows of the kingdom, and receive the king into his fortress. Lockhart still replied, that his commission was derived from an English parliament, and he would not open his gates but in obedience to the same authority.⁹ This scruple, though in the present emergence it approaches towards superstition, it is difficult for us entirely to condemn.

The elections for the new parliament went every where in favour of the king's party. This was one of those popular torrents, where the most indifferent, or even the most averse, are transported with the general passion, and zealously adopt the sentiments of the community to which they belong. The enthusiasts themselves seemed to be disarmed of their fury; and between despair and astonishment gave way to those measures, which, they found, it would be impossible for them, by their utmost efforts, to withstand. The presbyterians and the royalists, being united, formed the voice of the nation, which, without noise, but with infinite ardour, called for the king's restoration. The kingdom was almost entirely in the hands of the former party; and some zealous leaders, among them began to renew the demand of those conditions, which had been required of the late king in the treaty of Newport: but the general opinion seemed to condemn all those rigorous and jealous capitulations with their sovereign. Harassed with convulsions and disorders, men ardently longed for repose, and were terrified at the mention of negotiations or delays, which might afford opportunity to the seditious army still to breed new confusion. The passion too for liberty, having been carried to such violent extremes, and having produced such bloody commotions, began, by a natural movement, to give place to a spirit of loyalty and obedience; and the public was less zealous in a cause, which was become odious on account of the calamities which had so long attended it. After the legal concessions made by the late king, the constitution seemed to be sufficiently secured; and the additional conditions insisted on, as they had been framed during the greatest ardour of the contest, amounted rather to annihilation than a limitation of monarchy. Above all, the general was averse to the mention of conditions; and resolved that the crown, which he intended to restore, should be conferred on the king entirely free and unencumbered. Without farther scruple, therefore, or jealousy, the people gave their voice in elections for such as they knew to entertain sentiments favourable to monarchy; and all paid court to a party, which they foresaw, was soon to govern the nation. Though the parliament had voted, that no one should be elected, who had him- self, or whose father had borne arms for the late king; little regard was any where paid to this ordinance. The leaders of the presbyterians, the earl of Manchester, lord Fairfax, lord Roberts, Hollis, sir Anthony Ashley Cooper, Annesley, Lewis, were determined to atone for past transgressions by their present zeal for the royal interests; and from former merits, successes, and sufferings, they had acquired with their party the highest credit and authority.

The affairs of Ireland were in a condition no less favourable to the king. As soon as Monk declared against the English army, he dispatched emissaries into Ireland, and engaged the officers in that kingdom to concur with him in the same measures. Lord Broghill, president of Munster, and sir Charles Coote, president of Connaught, went so far as to enter into a correspondence with the king, and to promise their assistance for his restoration. In conjunction with sir Theophilus Jones, and other officers, they took possession of the government, and excluded Ludlow, who was zealous for the rump-parliament, but whom they pretended to be in a confederacy with the committee of safety. They kept themselves in readiness to serve the king; but made no declarations, till they should see the turn which affairs took in England.

But all these promising views had almost been blasted by an untoward accident. Upon the admission of the secluded members, the republican party, particularly the late king's judges, were seized with the justest despair, and endeavoured to infuse the same sentiments into the army. By themselves or their emissaries, they represented to the soldiers, that all those brave actions, which had been performed during the war, and which were so meritorious in the eyes of the parliament, would no doubt be regarded as the deepest crimes by the royalists, and would expose the army to the severest vengeance. That in vain did that party make professions of moderation and lenity: the king's death, the execution of so many of the nobility and gentry, the sequestration and imprisonment of the rest, were in their eyes crimes so deep, and offences so personal, as must be prosecuted with the most implacable resentment. That the loss of all arrears, and the cashiering of every officer and soldier, were the lightest punishment which must be expected: after the dispersion of the army, no farther protection remained to them, either for life or property but the clemency of enraged victors. And that, even if the most perfect security could be obtained, it were inglorious to be reduced, by treachery and deceit, to subjection under a foe, who, in the open field, had so often yielded to their superior valour.

After these suggestions had been infused into the army, Lambert suddenly made his escape

from the Tower, and threw Monk and the council of state into great consternation. They knew Lamort's vigour and activity; they were acquainted with his popularity in the army; they were sensible, that, though the soldiers had lately deserted him, they sufficiently expressed their remorse and their detestation of those, who, by false professions, they found, had so egregiously deceived them. It seemed necessary, therefore, to employ the greatest celebrity in suppressing so dangerous a foe: colonel Ingoldsby, who had been one of the late king's judges, but who was now entirely engaged in the royal cause, was dispatched after him. He overtook him at Daventry, while he had yet assembled but four troops of horse. One of them deserted him. Another quickly followed the example. He himself, endeavouring to make his escape, was seized by Ingoldsby, to whom he made submissions not suitable to his former character of spirit and valour. Okey, Axtel, Cobbet, Crede, and other officers of that party, were taken prisoners with him. All the roads were full of soldiers hastening to join them. In a few days, they had been formidable. And it was thought, that it might prove dangerous for Monk himself to have assembled any considerable body of his republican army for their suppression: so that nothing could be more happy than the sudden extinction of this rising flame.

THE RESTORATION.

WHEN the parliament met (25th May), they chose sir Harbottle Grimstone speaker, a man, who, though he had for some time concurred with the late parliament, had long been esteemed affectionate to the king's service. The great dangers incurred during former usurpations, joined to the extreme caution of the general, kept every one in awe; and none dared, for some days, to make any mention of the king. The members exerted their spirit chiefly in bitter invectives against the memory of Cromwel, and in execrations against the inhuman murder of their late sovereign. At last, the general, having sufficiently sounded their inclinations, gave directions to Annesley president of the council, to inform them, that one sir John Granville, a servant of the king's, had been sent over by his majesty, and was now at the door with a letter to the commons. The loudest acclamations were excited by this intelligence. Granville was called in: the letter, accompanied with a declaration, greedily read: without one moment's delay, and without a contradictory vote, a committee was appointed to prepare an answer: and in order to spread the same satisfaction throughout the kingdom, it was voted that the letter and declaration should immediately be published.

The people, freed from the state of suspense

in which they had so long been held, now changed their anxious hope for the unmixt effusions of joy; and displayed a social triumph and exultation, which no private prosperity, even the greatest, is ever able fully to inspire. Traditions remain of men, particularly of Oughtred, the mathematician, who died of pleasure, when informed of this happy and surprising event. The king's declaration was well calculated to uphold the satisfaction inspired by the prospect of public settlement. It offered a general amnesty to all persons whatsoever; and that without any exception but such as should afterwards be made by parliament: it promised liberty of conscience; and a concurrence in any act of parliament, which, upon mature deliberation, should be offered for insuring that indulgence: it submitted to the arbitration of the same assembly the inquiry into all grants, purchases, and alienations: and it assured the soldiers of all their arrears, and promised them, for the future, the same pay which they then enjoyed.

The lords, perceiving the spirit by which the kingdom, as well as the commons, was animated, hastened to reinstate themselves in their ancient authority, and to take their share in the settlement of the nation. They found the doors of their house open; and all were admitted; even such as had formerly been excluded on account of their pretended delinquency.

The two houses attended, while the king was proclaimed (8th May) with great solemnity, in Palace-yard, at Whitehall, and at Temple-bar. The commons voted 500 pounds to buy a jewel for Granville, who had brought them the king's gracious message: a present of 50,000 pounds was conferred on the king, 10,000 pounds on the duke of York, 5,000 pounds on the duke of Gloucester. A committee of lords and commons was dispatched to invite his majesty to return and take possession of the government. The rapidity with which all these events were conducted, was marvellous, and discovered the passionate zeal and entire unanimity of the nation. Such an impatience appeared, and such an emulation in lords, and commons, and city, who should make the most lively expressions of their joy and duty; that, as the noble historian expresses it, a man could not but wonder where those people dwelt, who had done all the mischief, and kept the king so many years from enjoying the comfort and support of such excellent subjects. The king himself said, that it must surely have been his own fault that he had not sooner taken possession of the throne; since he found every body so zealous in promoting his happy restoration.

The respect of foreign powers soon followed the submission of the king's subjects. Spain invited him to return to the Low Countries,

and embark in some of her maritime towns. France made protestations of affection and regard, and offered Calais for the same purpose. The States-general sent deputies with a like friendly invitation. The king resolved to accept of this last offer. The people of the republic bore him a cordial affection; and politics no longer restrained their magistrates from promoting and expressing that sentiment. As he passed from Breda to the Hague, he was attended by numerous crowds, and was received with the loudest acclamations; as if themselves, not their rivals in power and commerce, were now restored to peace and security. The states-general in a body, and afterwards the States of Holland apart, performed their compliments with the greatest solemnity: every person of distinction was ambitious of being introduced to his majesty; all ambassadors and public ministers of kings, princes, or states, repaired to him, and professed the joy of their masters in his behalf: so that one would have thought, that from the united efforts of Christendom had been derived this revolution, which diffused every where such universal satisfaction.

The English fleet came in sight of Scheveling. Montague had not waited for orders from the parliament; but had persuaded the officers of themselves, to tender their duty to his majesty. The duke of York immediately went on board, and took the command of the fleet as high admiral.

When the king disembarked at Dover, he was met by the general, whom he cordially embraced. Never subject, in fact, probably in his intentions, had deserved better of his king and country. In the space of a few months, without effusion of blood, by his cautious and disinterested conduct alone, he had bestowed settlement on three kingdoms, which had long been torn with the most violent convulsions: and having obstinately refused the most inviting conditions, offered him by the king as well as by every party in the kingdom, he freely restored his injured master to the vacant throne. The king entered London on the 29th of May, which was also his birth-day. The fond imaginations of men interpreted as a happy omen the concurrence of two such joyful periods.

At this era, it may be proper to stop a moment and take a general survey of the age, so far as regards manners, finances, arms, commerce, arts and sciences. The chief use of history is, that it affords materials for disquisitions of this nature; and it seems the duty of an historian to point out the proper inferences and conclusions.

MANNERS AND ARTS.

No people could undergo a change more sudden and entire in their manners, than did the English nation during this period. From tranquility, concord, submission, sobriety, they passed in an instant to a state of faction, fanaticism, rebellion, and almost phrenzy. The violence of the English parties exceeded any thing which we can now imagine: had they continued but a little longer, there was just reason to dread all the horrors of the ancient massacres and proscriptions. The military usurpers, whose authority was founded on palpable injustice, and was supported by no national party, would have been impelled by rage and despair into such sanguinary measures; and if these furious expedients had been employed on one side, revenge would naturally have pushed the other party, after a return of power, to retaliate upon their enemies. No social intercourse was maintained between the parties; no marriages or alliances contracted. The royalists, though oppressed, harassed, persecuted, disclaimed all affinity with their masters. The more they were reduced to subjection, the greater superiority did they affect above those usurpers, who by violence and injustice had acquired an ascendant over them.

The manners of the two factions were as opposite as those of the most distant nations. "Your friends, the Cavaliers," said a parliamentarian to a royalist, "are very dissolute and debauched."—"True," replied the royalist, "they have the infirmities of men: but your friends, the Round-heads, have the vices of devils, tyranny, rebellion, and spiritual pride."¹⁰ Riot and disorder, it is certain, notwithstanding the good example set them by Charles I. prevailed very much among his partisans. Being commonly men of birth and fortune, to whom excesses are less pernicious than to the vulgar, they were too apt to indulge themselves in all pleasures, particularly those of the table. Opposition to the rigid preciseness of their antagonists increased their inclination to good fellowship; and the character of a man of pleasure was affected among them, as a sure pledge of attachment to the church and monarchy. Even when ruined by confiscations and sequestrations, they endeavoured to maintain the appearance of a careless and social jollity. "As much as hope is superior to fear," said a poor and merry cavalier, "so much is our situation preferable to that of our enemies. We laugh while they tremble."

The gloomy enthusiasm which prevailed among the parliamentary party, is surely the most curious spectacle presented by any history; and the most instructive, as well as entertaining, to a philosophical mind. All recreations were in a manner suspended by the

rigid severity of the presbyterians and independents. Horse-races and cock-matches, were prohibited as the greatest enormities.¹¹ Even bear-baiting was esteemed heathenish and unchristian: the sport of it, not the inhumanity, gave offence. Colonel Hewson, from his pious zeal, marched with his regiment into London, and destroyed all the bears which were there kept for the diversion of the citizens. This adventure seems to have given birth to the fiction of *Hudibras*. Though the English nation be naturally candid and sincere, hypocrisy prevailed among them beyond any example in ancient or modern times. The religious hypocrisy, it may be remarked, is of a peculiar nature; and being generally unknown to the person himself, though more dangerous, it implies less falsehood than any other species of insincerity. The Old Testament, preferably to the New, was the favourite of all the sectaries. The eastern poetical style of that composition made it more easily susceptible of a turn which was agreeable to them.

We have had occasion, in the course of this work, to speak of many of the sects which prevailed in England: to enumerate them all would be impossible. The quakers, however, are so considerable, at least so singular, as to merit some attention; and as they renounced by principle the use of arms, they never made such a figure in public transactions as to enter into any part of our narrative.

The religion of the quakers, like most others, began with the lowest vulgar, and, in its progress, came at last to comprehend people of better quality and fashion. George Fox, born at Drayton in Lancashire in 1624, was the founder of this sect. He was the son of a weaver, and was himself bound apprentice to a shoemaker. Feeling a stronger impulse towards spiritual contemplations than towards that mechanical profession, he left his master, and went about the country clothed in a leathern doublet, a dress which he long affected, as well for its singularity as its cheapness. That he might wean himself from subluxary objects, he broke off all connexions with his friends and family, and never dwelled a moment in one place; lest habit should beget new connexions, and depress the sublimity of his aerial meditations. He frequently wandered into the woods, and passed whole days in hollow trees, without company, or any other amusement than his bible. Having reached that pitch of perfection as to need no other book, he soon advanced to another state of spiritual progress, and began to pay less regard even to that divine composition itself. His own breast, he imagined, was full of the same inspiration which had guided the prophets and apostles themselves; and by this inward light must every spiritual obscurity be cleared, by this living spirit must the dead letter be animated.

When he had been sufficiently consecrated in his own imagination, he felt that the fumes of self-applause soon dissipate, if not continually supplied by the admiration of others; and he began to seek proselytes. Proselytes were easily gained, at a time when all men's affections were turned towards religion, and when the most extravagant modes of it were sure to be most popular. All the forms of ceremony, invented by pride and ostentation, Fox and his disciples, from a superior pride and ostentation, carefully rejected: even the ordinary rites of civility were shunned, as the nourishment of carnal vanity and self-conceit. They would bestow no titles of distinction: the name of *friend* was the only salutation with which they indiscriminately accosted every one. To no person would they make a bow, or move their hat, or give any signs of reverence. Instead of that affected adulation, introduced into modern tongues, of speaking to individuals as if they were a multitude, they returned to the simplicity of ancient languages; and *thou* and *thee* were the only expressions which, on any consideration, they could be brought to employ.

Dress too, a material circumstance, distinguished the members of this sect. Every superfluity and ornament was carefully retrenched: no plaits to their coat, no buttons to their sleeves, no lace, no ruffles, no embroidery. Even a button to the hat, though sometimes useful, yet not being always so, was universally rejected by them with horror and detestation.

The violent enthusiasm of this sect, like all high passions, being too strong for the weak nerves to sustain, threw the preachers into convulsions, and shakings, and distortions in their limbs; and they thence received the appellation of *quakers*. Amidst the great toleration which was then granted to all sects, and even encouragement given to all innovations, this sect alone suffered persecution. From the fervour of their zeal, the quakers broke into churches, disturbed public worship, and harassed the minister and audience with railing and reproaches. When carried before a magistrate, they refused him all reverence, and treated him with the same familiarity as if he had been their equal. Sometimes they were thrown into mad-houses, sometimes into prisons: sometimes whipped, sometimes pilloried. The patience and fortitude with which they suffered, begat compassion, admiration, esteem.¹² A supernatural spirit was believed to support them under those sufferings, which the ordinary state of humanity, freed from the illusions of passion, is unable to sustain.

The quakers crept into the army: but as they preached universal peace, they seduced the military zealots from their profession, and would soon, had they been suffered, have put

an end, without any defeat or calamity, to the dominion of the saints. These attempts became a fresh ground of persecution, and a new reason for their progress among the people.

Morals with this sect were carried, or affected to be carried, to the same degree of extravagance as religion. Give a quaker a blow on one cheek, he held up the other: ask his cloak, he gave you his coat also: the greatest interest could not engage him, in any court of judicature, to swear even to the truth: he never asked more for his wares than the precise sum which he was determined to accept. This last maxim is laudable, and continues still to be religiously observed by that sect.

No fanatics ever carried farther the hatred to ceremonies, forms, orders, rights, and positive institutions. Even baptism and the Lord's supper, by all other sects believed, to be interwoven with the very vitals of christianity, were disdainfully rejected by them. The very sabbath they profaned. The holiness of churches they derided; and they would give to these sacred edifices no other appellation than that of *shops or steeple-houses*. No priests were admitted in their sect: every one had received from immediate illumination a character much superior to the sacerdotal. When they met for divine worship, each rose up in his place, and delivered the extemporary inspirations of the Holy Ghost: women were also admitted to teach the brethren, and were considered as proper vehicles to convey the dictates of the spirit. Sometimes a great many preachers were moved to speak at once: sometimes a total silence prevailed in their congregations.

Some quakers attempted, for fast forty days in imitation of Christ; and one of them bravely perished in the experiment.¹² A female quaker came naked into the church where the protector sat; being moved by the spirit, as she said, to appear as a sign to the people. A number of them fancied, that the renovation of all things had commenced, and that clothes were to be rejected, together with other superfluities. The sufferings which followed the practice of this doctrine, were a species of persecution not well calculated for promoting it.

James Naylor was a quaker, noted for blasphemy, or rather madness, in the time of the protectorship. He fancied that he himself was transformed into Christ, and was become the real saviour of the world; and in consequence of this frenzy, he endeavoured to imitate many actions of the Messiah related in the evangelists. As he bore a resemblance to the common pictures of Christ, he allowed his beard to grow in a like form: he raised a person from the dead;¹⁴ he was ministered unto by women:¹⁵ he entered Bristol mounted on a horse; I suppose, from the difficulty in that place of finding an ass: his disciples spread their garments before him, and cried, "Hosannah to the high

est; holy, holy is the Lord God of Sabaoth." When carried before the magistrate, he would give no other answer to all questions than "thou hast said it." What is remarkable, the parliament thought that the matter deserved their attention. Near ten days they spent in inquiries and debates about him.¹⁶ They condemned him to be pilloried, whipped, burned in the face, and to have his tongue bored through with a red-hot iron. All these severities he bore with the usual patience. So far his delusions supported him. But the sequel spoiled all. He was sent to Bridewell, confined to hard labour, fed on bread and water, and debarred from all his disciples, male and female. His illusion dissipated, and after some time he was contented to come out an ordinary man, and return to his usual occupations.

The chief taxes in England, during the time of the commonwealth, were the monthly assessments, the excise, and the customs. The assessments were levied on personal estates, as well as on land;¹⁷ and commissioners were appointed in each county for rating the individuals. The highest assessment amounted to 120,000, pounds a-month in England; the lowest was \$5,000. The assessments in Scotland were sometimes 10,000 pounds a-month;¹⁸ commonly 6000. Those on Ireland 9000. At a medium, this tax might have afforded about a million a-year. The excise, during the civil wars, was levied on bread, flesh-meat, as well as beer, ale, strong-waters, and many other commodities. After the king was subdued, bread and flesh-meat were exempted from excise. The customs on exportation were lowered in 1656.¹⁹ In 1650, commissioners were appointed to levy both customs and excises. Cromwel in 1657 returned to the old practice of farming. Eleven hundred thousand pounds were then offered, both for customs and excise, a greater sum than had ever been levied by the commissioners:²⁰ the whole of the taxes during that period might at a medium amount to above two millions a-year; a sum which, though moderate, much exceeded the revenue of any former king.²¹ Sequestrations, compositions, sale of crown and church lands, and ~~of the lands~~ of delinquents, yielded also considerable sums, but very difficult to be estimated. Church-lands are said to have been sold for a million.²² None of these were ever valued at above ten or eleven years purchase.²³ The estates of delinquents amounted to above 200,000 pounds a-year.²⁴ Cromwel died more than two millions in debt;²⁵ though the parliament had left him in the treasury above 500,000 pounds; and in stores, the value of 700,000 pounds.²⁶

The committee of danger in April 1648 voted to raise the army to 40,000 men.²⁷ The same year, the pay of the army was estimated at 80,000 pounds a-month.²⁸ The establishment of the army in 1652, was in Scotland 15,000

foot, 2580 horse, 560 dragoons; in England 4700 foot, 2520 horse, garrisons 6154. In all, 31,519, besides officers.²⁹ The army in Scotland was afterwards considerably reduced. The army in Ireland was not much short of 20,000 men; so that, upon the whole, the commonwealth maintained in 1652 a standing army of more than 80,000 men. Its pay amounted to a yearly sum of 1,047,715.³⁰ Afterwards the protector reduced the establishment to 30,000 men, as appears by the Instrument of Government and Humble Petition and Advice. His frequent enterprises obliged him from time to time to augment them. Richard had on foot in England an army of 13,258 men, in Scotland 9506, in Ireland about 10,000 men.³¹ The foot soldiers had commonly a shilling a-day.³² The horse had two shillings and sixpence; so that many gentlemen and younger brothers of good family enlisted in the protector's cavalry.³³ No wonder that such men were averse from the re-establishment of civil government, by which, they well knew, they must be deprived of so gainful a profession.

At the time of the battle of Worcester, the parliament had on foot about 80,000 men, partly militia, partly regular forces. The vigour of the commonwealth, and the great capacity of those members who had assumed the government, never at any time appeared so conspicuous.³⁴

The whole revenue of the public, during the protectorship of Richard, was estimated at 1,868,717 pounds: his annual expences at 2,201,540 pounds. An additional revenue was demanded from parliament.³⁵

The commerce and industry of England increased extremely during the peaceable period of Charles's reign: the trade to the East-Indies and to Guinea became considerable. The English possessed almost the sole trade with Spain. Twenty thousand cloths were annually sent to Turkey.³⁶ Commerce met with interruption, no doubt, from the civil wars and convulsions which afterwards prevailed; though it soon recovered after the establishment of the commonwealth. The war with the Dutch, by distressing the commerce of so formidable a rival, served to encourage trade in England: the Spanish war was to an equal degree pernicious. All the effects of the English merchants, to an immense value, were confiscated in Spain. The prevalence of democratical principles engaged the country gentlemen to bind their sons apprentices to merchants;³⁷ and commerce has ever since been more honourable in England than in any other European kingdom. The exclusive companies, which formerly confined trade, were never expressly abolished by any ordinance of parliament during the commonwealth; but as men paid no regard to the prerogative whence the charters of these companies were derived, the monopoly was

gradually invaded, and commerce increased by the increase of liberty. Interest in 1650 was reduced to six per cent.

The customs in England, before the civil wars, are said to have amounted to 500,000 pounds a year:³⁸ a sum ten times greater than during the best period in queen Elizabeth's reign: but there is probably some exaggeration in this matter.

The post-house in 1653 was farmed at 10,000 pounds a-year, which was deemed a considerable sum for the three kingdoms. Letters paid only about half their present postage.

From 1619 to 1638, there had been coined 6,900,042 pounds. From 1638 to 1657, the coinage amounted to 7,733,521 pounds.³⁹ Dr. Davenant has told us from the registers of the mint, that between 1558 and 1659, there had been coined 19,832,476 pounds in gold and silver.

The first mention of tea, coffee, and chocolate, is about 1660.⁴⁰ Asparagus, artichokes, cauliflower, and a variety of sallads, were about the same time introduced into England.⁴¹

The colony of New England increased by means of the puritans, who fled thither, in order to free themselves from the constraint which Laud and the church party had imposed upon them; and, before the commencement of the civil wars, it is supposed to have contained 25,000 souls.⁴² For a like reason, the catholics, afterwards, who found themselves exposed to many hardships, and dreaded still worse treatment, went over to America in great numbers, and settled the colony of Maryland.

Before the civil wars, learning and the fine arts were favoured at court, and a good taste began to prevail in the nation. The king loved pictures, sometimes handled the pencil himself, and was a good judge of the art. The pieces of foreign masters were bought up at a vast price; and the value of pictures doubled in Europe by the emulation between Charles and Philip IV. of Spain, who were touched with the same elegant passion. Vandyke was caressed and enriched at court. Inigo Jones was master of the king's buildings; though afterwards persecuted by the parliament, on account of the part which he had in rebuilding St. Paul's, and for obeying some orders of council, by which he was directed to pull down houses, in order to make room for that edifice. Laws, who had not been surpassed by any musician before him, was much beloved by the king, who called him the father of music. Charles was a good judge of writing, and was thought by some more anxious with regard to purity of style than became a monarch.⁴³ Notwithstanding his narrow revenue, and his freedom from all vanity, he lived in such magnificence that he possessed four and twenty palaces, all of them elegantly and completely furnished;

insomuch that, when he removed from one to another, he was not obliged to transport any thing along with him.

Cromwel, though himself a barbarian, was not insensible to literary merit. Usher, notwithstanding his being a bishop, received a pension from him. Marvel and Milton were in his service. Waller, who was his relation, was caressed by him. That poet always said, that the protector himself was not so wholly illiterate as was commonly imagined. He gave a hundred pounds a-year to the divinity professor at Oxford; and an historian mentions this bounty as an instance of his love of literature.⁴⁴ He intended to have erected a college at Durham for the benefit of the northern counties.

Civil wars, especially when founded on principles of liberty, are not commonly unfavourable to the arts of eloquence and composition; or, rather, by presenting nobler and more interesting objects they amply compensate that tranquillity of which they bereave the muses. The speeches of the parliamentary orators during this period are of a strain much superior to what any former age had produced in England; and the force and compass of our tongue were then first put to trial. It must, however, be confessed, that the wretched fanaticism which so much infected the parliamentary party, was no less destructive of taste and science, than of all law and order. Gaiety and wit were proscribed; human learning despised; freedom of inquiry detested: cant and hypocrisy alone encouraged. It was an article positively insisted on in the preliminaries to the treaty of Uxbridge, that all play-houses should for ever be abolished. Sir John Davenant, says Whitlocke⁴⁵ speaking of the year 1658, published an opera, notwithstanding the nicety of the times. All the king's furniture was put to sale: his pictures, disposed of at very low prices, enriched all the collections in Europe: the cartoons, when complete, were only appraised at 300 pounds, though the whole collection of the king's curiosities was sold at above 50,000.⁴⁶ Even the royal palaces were pulled in pieces, and the materials of them sold. The very library and medals at St. James's were intended by the generals to be brought to attention, in order to pay the arrears of some regiments of cavalry quartered near London: but Selden, apprehensive of the loss, engaged his friend Whitlocke, then lord-keeper for the commonwealth, to apply for the office of librarian. This expedient saved that valuable collection.

It is, however, remarkable, that the greatest genius by far that shone out in England during this period, was deeply engaged with these fanatics, and even prostituted his pen in theological controversy, in factious disputes, and in justifying the most violent measures of the party. This was John Milton, whose poems are admirable, though liable to some objec-

tions; his prose writings disagreeable, though not altogether defective in genius. Nor are all his poems equal: his *Paradise Lost*, his *Comus*, and a few others, shine out amidst some flat and insipid compositions: even in the *Paradise Lost*, his capital performance, there are very long passages, amounting to near a third of the work, almost wholly destitute of harmony and elegance, nay, of all vigour of imagination. This natural inequality in Milton's genius was much increased by the inequalities in his subject; of which some parts are of themselves the most lofty that can enter into human conception; others would have required the most laboured elegance of composition to support them. It is certain, that this author, when in a happy mode, and employed on a noble subject, is the most wonderfully sublime of any poet in any language; Homer and Lucretius and Tasso not excepted. More concise than Homer, more simple than Tasso, more nervous than Lucretius; had he lived in a later age, and learned to polish some rudeness in his verses; had he enjoyed better fortune, and possessed leisure to watch the returns of genius in himself, he had attained the pinnacle of perfection, and borne away the palm of epic poetry.

It is well known, that Milton never enjoyed in his lifetime the reputation which he deserved. His *Paradise Lost* was long neglected: prejudices against an apologist for the regicides, and against a work not wholly purged from the cant of former times, kept the ignorant world from perceiving the prodigious merit of that performance. Lord Somers, by encouraging a good edition of it, about twenty years after the author's death, first brought it into request; and Tonson, in his dedication of a smaller edition, speaks of it as a work just beginning to be known. Even during the prevalence of Milton's party, he seems never to have been much regarded; and Whitlocke⁴⁷ talks of one Milton, as he calls him, a blind man, who was employed in translating a treaty with Sweden into Latin. These forms of expression are amusing to posterity, who consider how obscure Whitlocke himself, though lord-keeper and ambassador, and indeed a man of great abilities and merit, has become in comparison of Milton.

It is not strange that Milton received no encouragement after the restoration: it is more to be admired that he escaped with his life. Many of the cavaliers blamed extremely that tenity towards him, which was so honourable in the king, and so advantageous to posterity. It is said, that he had saved Davenant's life during the protectorship; and Davenant in return afforded him like protection after the restoration; being sensible, that men of letters ought always to regard their sympathy of taste as a more powerful band of union, than any difference of party or opinion as a source of animosity. It was

during a state of poverty, blindness, disgrace, danger, and old age, that Milton composed his wonderful poem, which not only surpassed all the performances of his contemporaries, but all the compositions which had flowed from his pen during the vigour of his age and the height of his prosperity. This circumstance is not the least remarkable of all those which attend that great genius. He died in 1674, aged 66.

Waller was the first refiner of English poetry, at least of English rhyme; but his performances still abound with many faults, and, what is more material, they contain but feeble and superficial beauties. Gaiety, wit, and ingenuity, are their ruling character: they aspire not to the sublime; still less to the pathetic. They treat of love, without making us feel any tenderness; and abound in panegyric, without exciting admiration. The panegyric, however, on Cromwell, contains more force than we should expect from the other compositions of this poet.

Waller was born to an ample fortune, was early introduced to the court, and lived in the best company. He possessed talents for eloquence as well as poetry; and till his death, which happened in a good old age, he was the delight of the house of commons. The errors of his life proceeded more from want of courage, than of honour or integrity. He died in 1687, aged 82.

Cowley is an author extremely corrupted by the bad taste of his age; but, had he lived even in the purest times of Greece or Rome, he must always have been a very indifferent poet. He had no ear for harmony; and his verses are only known to be such by the rhyme, which terminates them. In his rugged untuneable numbers are conveyed sentiments the most strained and distorted; long-spun allegories, distant allusions, and forced conceits. Great ingenuity, however, and vigour of thought, sometimes break out amidst those unnatural conceptions: a few anacreontics surprise us by their ease and gaiety: his prose writings please, by the honesty and goodness which they express, and even by their spleen and melancholy. The author was much more praised and admired during his lifetime, and celebrated after his death, than the great Milton. He died in 1667, aged 49.

our John Denham, in his Cooper's Hill (for none of his other poems merit attention), has a loftiness and vigour, which had not before him been attained by any English poet who wrote in rhyme. The mechanical difficulties of that measure retarded its improvement. Shakespeare, whose tragic scenes are sometimes so wonderfully forcible and expressive, is a very indifferent poet when he attempts to rhyme. Precision and neatness are chiefly wanting in Denham. He died in 1688, aged 73.

No English author in that age was more

celebrated both abroad and at home, than Hobbes: in our time, he is much neglected: a lively instance, how precarious all reputations founded on reasoning and philosophy! A pleasant comedy, which paints the manners of the age, and exposes a faithful picture of nature, is a durable work, and is transmitted to the latest posterity. But a system, whether physical or metaphysical, commonly owes its success to its novelty; and is no sooner canvassed with impartiality than its weakness is discovered. Hobbes's politics are fitted only to promote tyranny, and his ethics to encourage licentiousness. Though an enemy to religion, he partakes nothing of the spirit of scepticism; but is as positive and dogmatical as if human reason, and his reason in particular, could attain a thorough conviction in these subjects. Clearness and propriety of style are the chief excellencies of Hobbes's writings. In his own person he is represented to have been a man of virtue; a character nowise surprising, notwithstanding his libertine system of ethics. Timidity is the principal fault with which he is reproached: he lived to an extreme old age, yet could never reconcile himself to the thoughts of death. The boldness of his opinions and sentiments forms a remarkable contrast to this part of his character. He died in 1679, aged 91.

Harrington's Oceana was well adapted to that age, when the plans of imaginary republics were the daily subjects of debate and conversation; and even in our time, it is justly admired as a work of genius and invention. The idea, however, of a perfect and immortal commonwealth will always be found as chimerical as that of a perfect and immortal man. The style of this author wants ease and fluency; but the good matter, which his work contains, makes compensation. He died in 1677, aged 66.

Harvey is entitled to the glory of having made, by reasoning alone, without any mixture of accident, a capital discovery in one of the most important branches of science. He had also the happiness of establishing at once his theory on the most solid and convincing proofs; and posterity has added little to the arguments suggested by his industry and ingenuity. His treatise of the circulation of the blood is farther embellished by that warmth and spirit which so naturally accompany the genius of invention. This great man was much favoured by Charles I. who gave him the liberty of using all the deer in the royal forests for perfecting his discoveries on the generation of animals. It was remarked, that no physician in Europe, who had reached forty years of age, ever, to the end of his life, adopted Harvey's doctrine of the circulation of the blood, and that his practice in London diminished extremely, from the reproach drawn upon him by that great and signal discovery. So slow is the progress of truth in every science, even when not opposed

by factious or superstitious prejudices ! He died in 1657, aged 79.

This age affords great materials for history ; but did not produce any accomplished historian. Clarendon, however, will always be esteemed an entertaining writer, even independent of our curiosity to know the facts which he relates. His style is prolix and redundant, and suffocates us by the length of its periods : but it discovers imagination and sentiment, and pleases us at the same time that we disapprove of it. He is more partial in appearance than in reality : for he seems perpetually anxious to apologize for the king ; but his apologies are often well grounded. He is less partial in his relation of facts, than in his account of characters : he was too honest a man to falsify the former ;

his affections were easily capable, unknown to himself, of disguising the latter. An air of probity and goodness runs through the whole work ; as these qualities did in reality embellish the whole life of the author. He died in 1674, aged 66.

These are the chief performances which engage the attention of posterity. Those numberless productions, with which the press then abounded ; the cant of the pulpit, the declamations of party, the subtilties of theology, all these have long ago sunk in silence and oblivion. Even a writer, such as Selden, whose learning was his chief excellency ; or Chillingworth, an acute disputant against the papists, will scarcely be ranked among the classics of our language or country.

NOTES.

- 1 Ludlow.
- 2 Carte's Collections, vol. ii. p. 243.
- 3 Ludlow.
- 4 King James's Memoirs.
- 5 Gumbel's Life of Monk, p. 93.
- 6 Lord Lansdown's Defence of General Monk.
- 7 Clarendon.
- 8 Lansdowne, Clarendon.
- 9 Burnet.
- 10 Sir Philip Warwick.
- 11 Killing no Murder.
- 12 The following story is told by Whitlocke, p. 399. Some quakers at Kingston in Northumberland coming to the water on the Sabbath-day, and speaking to him, the people fell upon the quakers, and almost killed one or two of them, who going out fell on their knees, and prayed God to pardon the people, who knew not what they did ; and afterwards speaking to the people, so convinced them of the evil they had done in beating them, that the country

people fell a quarrelling, and beat one another more than they had before beaten the quakers. Whitlocke, p. 621. Harleian Miscellany, vol. vi. p. 399. One Doreen Earberry made oath before a magistrate, that she had been dead two days, and that Naylor had brought her to life. Harleian Miscellany, vol. vi. p. 399. Thurlow, vol. v. p. 708. Scobel, p. 419. Thurlow, vol. ii. p. 476. Scobel, p. 376. Thurlow, vol. vi. p. 425. It appears that the late king's revenue from 1637, to the meeting of the long

which 200,000 may be esteemed illegal.

- 22 Dr. Walker, p. 14.
- 23 Thurlow, vol. i. p. 753.
- 24 Thurlow, vol. ii. p. 414.
- 25 Thurlow, vol. vi. p. 667.
- 26 World's Mistake in Oliver Cromwell.

Whitlocke, p. 298. Whitlocke, p. 378. Journal, 2nd December, 1652. Journal, 2nd December, 1652. Journal, 6th April, 1659. Thurlow, vol. i. p. 395, vol. ii. p. 414. Gumbel's Life of Monk. Whitlocke, p. 477. Journal, 7th April, 1659. Strafford's Letters, vol. i. p. 421. 423. 430. 467. Clarendon. Lewis Robert's Treasure of Traffick. Happy Future State of England. Anderson, vol. ii. p. 111. Anderson, vol. ii. p. 111. British Empire in America, vol. i.

- 43 Burnet.
- 44 Neale's History of the Puritans, vol. iv. n. 123.
- 45 P. 639.
- 46 Parl. Hist. vol. xix. p. 83.
- 47 P. 638.

CHAPTER LXIII.

C H A R L E S II.

New Ministry.—Act of Indemnity.—Settlement of the Revenue.—Trial and Execution of the Regicides.—Dissolution of the Convention.—Parliament.—Prelacy restored.—Insurrection of the Millenarians.—Affairs of Scotland.—Conference at the Savoy.—Arguments for and against a Comprehension.—A new Parliament.—Bishops' Seats restored.—Corporation Act.—Act of Uniformity.—King's Marriage.—Trial of Vane, and Execution.—Presbyterian Clergy ejected.—Dunkirk sold to the French.—Declaration of Indulgence.—Decline of Clarendon's Credit.

1660. **C** H A R L E S II. when he ascended the throne of his ancestors, was thirty years of age. He possessed a vigorous constitution, a fine shape, a manly figure, a graceful air; and though his features were harsh, yet was his countenance in the main lively and engaging. He was in that period of life, when there remains enough of youth to render the person amiable, without preventing that authority and regard which attend the years of experience and maturity. Tenderness was excited by the memory of his recent adversities. His present prosperity was the object rather of admiration than of envy. And as the sudden and surprising revolution, which restored him to his regal rights, had also restored the nation to peace, law, order, and liberty; no prince ever obtained a crown in more favourable circumstances, or was more blest with the cordial affection and attachment of his subjects.

This popularity the king, by his whole demeanour and behaviour, was well qualified to support and to increase. To a lively wit and quick comprehension, he united a just understanding, and a general observation both of men and things. The easiest manners, the most unaffected politeness, the most engaging gaiety, accompanied his conversation and address. Accustomed, during his exile, to live among his courtiers rather like a companion than a monarch, he retained, even while on the throne, that open affability, which was capable of reconciling the most determined republicans to his royal dignity. Totally devoid of resentment, as well from the natural lenity as carelessness of his temper, he insured pardon to the most guilty of his enemies, and left hopes of favour to his most violent opponents. From the whole tenor of his actions and discourse, he seemed desirous of losing the memory of past animosities, and of uniting every party in an affection for their prince and their native country.

NEW MINISTRY.*

INTO his council were admitted the most eminent men of the nation, without regard to former distinctions: the presbyterians, equally with the royalists, shared this honour. Annesley was also created earl of Anglesey; Ashley Cooper lord Ashley; Denzil Hollis lord Hollis. The earl of Manchester was appointed lord chamberlain, and lord Say privy-seal. Calamy and Baxter, presbyterian clergymen, were even made chaplains to the king.

Admiral Montague, created earl of Sandwich, was entitled, from his recent services, to great favour; and he obtained it. Monk, created duke of Albermarle, had performed such signal services, that, according to a vulgar and malignant observation, he ought rather to have expected hatred and ingratitude: yet was he ever treated by the king with great marks of distinction. Charles's disposition, free from jealousy; and the prudent behaviour of the general, who never over-rated his merits; prevented all those disgusts which naturally arise in so delicate a situation. The capacity too of Albermarle was not extensive, and his parts were more solid than shining. Though he had distinguished himself in inferior stations, he was imagined, upon familiar acquaintance, not to be wholly equal to those great achievements, which fortune, united to prudence, had enabled him to perform; and he appeared unfit for the court, a scene of life to which he had never been accustomed. Morrice, his friend, was created secretary of state, and was supported more by his patron's credit than by his own abilities or experience.

But the choice which the king at first made of his principal ministers and favourites, was the circumstance which chiefly gave contentment to the nation, and prognosticated future happiness and tranquillity. Sir Edward Hyde created earl of Clarendon, was chancellor and prime minister; the marquis created duke of

Ormond, was steward of the household: the earl of Southampton, high treasurer: sir Edward Nicholas, secretary of state. These men, united together in friendship, and combined in the same laudable inclinations, supported each other's credit, and pursued the interests of the public.

Agreeable to the present prosperity of public affairs, was the universal joy and festivity diffused throughout the nation. The melancholy austerity of the fanatics fell into discredit, together with their principles. The royalists, who had ever affected a contrary disposition, found in their recent success new motives for mirth and gaiety; and it now belonged to them to give repute and fashion to their manners. From past experience it had sufficiently appeared, that gravity was very distinct from wisdom, formality from virtue, and hypocrisy, from religion. The king himself, who bore a strong propensity to pleasure, served, by his powerful and engaging example, to banish those sour and malignant humours, which had hitherto engendered such confusion. And though the just bounds were undoubtedly passed, when men returned from their former extreme; yet was the public happy in exchanging vices, pernicious to society, for disorders, hurtful chiefly to the individuals themselves who were guilty of them.

It required some time before the several parts of the state, disfigured by war and faction, could recover their former arrangement: but the parliament immediately fell into good correspondence with the king, and they treated him with the same dutiful regard which had usually been paid to his predecessors. Being summoned, without the king's consent, they received, at first, only the title of a convention; and it was not till he passed an act for that purpose, that they were called by the appellation of parliament. All judicial proceedings, transacted in the name of the commonwealth or protector, were ratified by a new law. And both houses, acknowledging the guilt of the former rebellion, gratefully received in their own name, and in that of all the subjects, his majesty's gracious pardon and indemnity.

ACT OF INDEMNITY.

THE king, before his restoration, being afraid of reducing any of his enemies to despair, and at the same time unwilling that such enormous crimes as had been committed should receive a total impunity, had expressed himself very cautiously in his declaration of Breda, and had promised an indemnity to all criminals but such as should be excepted by parliament. He now issued a proclamation, declaring that such of the late king's judges as did not yield themselves prisoners within fourteen days

should receive no pardon. Nineteen surrendered themselves: some were taken in their flight: others escaped beyond sea.

The commons seem to have been more inclined to lenity than the lords. The upper house, inflamed by the ill usage which they had received, were resolved, besides the late king's judges, to except every one who had sitten in any high court of justice. Nay, the earl of Bristol moved, that no pardon might be granted to those who had anywise contributed to the king's death. So wide an exception, in which every one who had served the parliament might be comprehended, gave a general alarm; and men began to apprehend, that this motion was the effect of some court artifice or intrigue. But the king soon dissipated these fears. He came to the house of peers; and, in the most earnest terms, passed the act of general indemnity. He urged both the necessity of the thing, and the obligation of his former promise: a promise, he said, which he would ever regard as sacred; since to it he probably owed the satisfaction, which at present he enjoyed, of meeting his people in parliament. This measure of the king's was received with great applause and satisfaction.

After repeated solicitations, the act of indemnity passed both houses, and soon received the royal assent. Those who had an immediate hand in the late king's death, were there excepted: even Cromwel, Ireton, Bradshaw, and others now dead, were attainted, and their estates forfeited. Vane and Lambert, though none of the regicides, were also excepted. St. John and seventeen persons more were deprived of all benefits from this act, if they ever accepted any public employment. All who had sitten in any illegal high court of justice were disabled from bearing offices. These were all the severities which followed such furious civil wars and convulsions.

SETTLEMENT OF THE REVENUE.

THE next business was the settlement of the king's revenue. In this work, the parliament had regard to public freedom, as well as to the support of the crown. The tenures of wards and liveries had long been regarded as a grievous burthen by the nobility and gentry: several attempts had been made during the reign of James to purchase this prerogative, together with that of purveyance; and 200,000 pounds a-year had been offered that price in lieu of them: wardships and purveyance had been utterly abolished by the republican parliament: and even in the present parliament, before the king arrived in England, a bill had been introduced, offering him a compensation for the emolument of these prerogatives. A hundred thousand pounds a-year was the sum agreed

to; and half of the excise was settled in perpetuity upon the crown as the fund whence this revenue should be levied. Though that impost yielded more profit, the bargain might be esteemed hard; and it was chiefly the necessity of the king's situation, which induced him to consent to it. No request of the parliament, during the present joy, could be refused them.

Tonnage and poundage and the other half of the excise were granted to the king during life. The parliament even proceeded so far as to vote that the settled revenue of the crown for all charges should be 1,200,000 pounds a year; a sum greater than any English monarch had ever before enjoyed. But as all the princes of Europe were perpetually augmenting their military force, and consequently their expence, it became requisite that England, from motives both of honour and security, should bear some proportion to them, and adapt its revenue to the new system of politics which prevailed. According to the chancellor's computation, a charge of 800,000 pounds a-year was at present requisite for the fleet and other articles, which formerly cost the crown but eighty thousand.

Had the parliament, before restoring the king, insisted on any farther limitations than those which the constitution already imposed; besides the danger of reviving former quarrels among parties; it would seem that their precautions had been entirely superfluous. By reason of its slender and precarious revenue, the crown in effect was still totally dependent. Not a fourth part of this sum, which seemed requisite for public expences, could be levied without consent of parliament; and any concessions, had they been thought necessary, might, even after the restoration, be extorted by the commons from their necessitous prince. This parliament showed no intention of employing at present that engine to any such purposes; but they seemed still determined not to part with it entirely, or to render the revenues of the crown fixed and independent. Though they voted in general, that 1,200,000 pounds a-year should be settled on the king, they scarcely assigned any funds which could yield two thirds of that sum. And they left the care of fulfilling their engagements to the future consideration of parliament.

In all the temporary supplies which they voted, they discovered the same cautious frugality. To disband the army, so formidable in itself and so much accustomed to rebellion and changes of government, was necessary for the security both of king and parliament; yet the commons showed great jealousy in granting the sums requisite for that end. An assessment of 70,000 pounds a-month was imposed; but it was at first voted to continue only three months: and all the other sums, which they levied for that purpose, by a poll-bill and new

assessments, were still granted by parcels; as if they were not, as yet, well assured of the fidelity of the hand to which the money was intrusted. Having proceeded so far in the settlement of the nation, the parliament adjourned itself (13th Sept.) for some time.

TRIAL AND EXECUTION OF THE REGICIDES.

DURING the recess of parliament, the object which chiefly interested the public, was the trial and condemnation of the regicides. The general indignation, attending the enormous crime of which these men had been guilty, made their sufferings the subject of joy to the people: but in the peculiar circumstances of that action, in the prejudices of the times, as well as in the behaviour of the criminals, a mind, seasoned with humanity, will find a plentiful source of compassion and indulgence. Can any one, without concern for human blindness and ignorance, consider the demeanour of general Harrison, who was first brought to his trial? With great courage and elevation of sentiment, he told the court, that the pretended crime, of which he stood accused, was not a deed performed in a corner: the sound of it had gone forth to most nations; and in the singular and unmarvellous conduct of it had chiefly appeared the sovereign power of heaven. That he himself, agitated by doubts, had often, with passionate tears, offered up his addresses to the divine majesty, and earnestly sought for light and conviction: he had still received assurance of a heavenly sanction, and returned from these devout applications with more serene tranquillity and satisfaction. That all the nations of the earth were, in the eyes of their Creator, less than a drop of water in the bucket; nor were their erroneous judgments aught but darkness, compared with divine illuminations. That these frequent illapses of the divine spirit he could not suspect to be interested illusions; since he was conscious, that for no temporal advantage, would he offer injury to the poorest man or woman that trod upon the earth. That all the allurements of ambition, all the terrors of imprisonment, had not been able, during the usurpation of Cromwell, to shake his steady resolution, or bend him to a compliance with that deceitful tyrant. And that when invited by him to sit on the right hand of the throne, when offered riches and splendour and dominion, he had disdainfully rejected all temptations; and neglecting the tears of his friends and family, had still, through every danger, held fast his principles and his integrity.

Scot, who was more a republican than a fanatic, had said in the house of commons, a little before the restoration, that he desired no other epitaph to be inscribed on his tomb-stone than this; *Here lies Thomas Scot, who ad-*

judged the king to death. He supported the same spirit upon his trial.

Carew, a millenarian, submitted to his trial, *saving to our Lord Jesus Christ his right to the government of these kingdoms.* Some scrupled to say, according to form, that they would be tried by God and their country; because God was not visibly present to judge them. Others said, that they would be tried by the word of God.

No more than six of the late king's judges, Harrison, Scot, Carew, Clement, Jones, and Scrope, were executed: Scrope alone, of all those who came in upon the king's proclamation. He was a gentleman of good family, and of a decent character: but it was proved, that he had a little before, in conversation, expressed himself as if he were nowise convinced of any guilt in condemning the king. Axtel, who had guarded the high court of justice, Hacker, who commanded on the day of the king's execution, Coke, the solicitor for the people of England, and Hugh Peters, the fanatical preacher, who inflamed the army and impelled them to regicide: all these were tried and condemned, and suffered with the king's judges. No saint or confessor ever went to martyrdom with more assured confidence of heaven than was expressed by those criminals, even when the terrors of immediate death, joined to many indignities, were set before them. The rest of the king's judges, by an unexampled lenity, were reprimed; and they were dispersed into several prisons.

This punishment of declared enemies interrupted not the rejoicings of the court: but the death of the duke of Gloucester (13th Sept.), a young prince of promising hopes, threw a great cloud upon them. The king, by no incident in his life, was ever so deeply affected. Gloucester was observed to possess united the good qualities of both his brothers: the clear judgment and penetration of the king; the industry and application of the duke of York. He was also believed to be affectionate to the religion and constitution of his country. He was but twenty years of age, when the small-pox put an end to his life.

The princess of Orange, having come to England, in order to partake of the joy attending the restoration of her family, with whom she lived in great friendship, soon after sickened and died. The queen-mother paid a visit to her son; and obtained his consent to the marriage of the princess Henrietta with the duke of Orleans, brother to the French king.

DISSOLUTION OF THE CONVENTION PARLIAMENT. Dec. 29.

AFTER a recess of near two months, the parliament met, and proceeded in the great work of the national settlement. They esta-

blished the post-office, wine licenses, and some articles of the revenue. They granted more assessments, and some arrears, for paying and disbanding the army. Business being carried on with great unanimity, was soon dispatched: and after they had sitten near two months, the king, in a speech full of the most gracious expressions, thought proper to dissolve them.

This house of commons had been chosen during the reign of the old parliamentary party; and though many royalists had crept in amongst them, yet did it chiefly consist of presbyterians, who had not yet entirely laid aside their old jealousies and principles. Lenthall, a member, having said, that those who first took arms against the king, were as guilty as those who afterwards brought him to the scaffold, was severely reprimanded by order of the house; and the most violent efforts of the long parliament, to secure the constitution, and bring delinquents to justice, were in effect vindicated and applauded.¹ The claim of the two houses to the militia, the first ground of the quarrel, however exorbitant an usurpation, was never expressly resigned by this parliament. They made all grants of money with a very sparing hand. Great arrears being due by the protector, to the fleet, the army, the navy-office, and every branch of service; this whole debt they threw upon the crown, without establishing funds sufficient for its payment. Yet notwithstanding this jealous care, expressed by the parliament, there prevails a story, that Popham, having sounded the disposition of the members, undertook to the earl of Southampton to procure, during the king's life, a grant of two millions a-year land-tax: a sum which, added to the customs and excise, would for ever have rendered this prince independent of his people. Southampton, it is said, merely from his affection to the king, had unwarily embraced the offer; and it was not till he communicated the matter to the chancellor, that he was made sensible of its pernicious tendency. It is not improbable that such an offer might have been made, and been hearkened to; but it is nowise probable that all the interest of the court would ever, with this house of commons, have been able to make it effectual. Clarendon showed his prudence, no less than his integrity, in entirely rejecting it.

The chancellor, from the same principles of conduct, hastened to disband the army. When the king reviewed these veteran troops, he was struck with their beauty, order, discipline, and marshal appearance; and being sensible, that regular forces are most necessary implements of royalty, he expressed a desire of finding expedients still to retain them. But his wise minister set before him the dangerous spirit by which these troops were actuated, their enthusiastic genius, their habits of rebellion and

mutiny; and he convinced the king, that, till they were disbanded, he never could esteem himself securely established on his throne. No more troops were retained than a few guards and garrisons, about 1000 horse, and 4000 foot. This was the first appearance under the monarchy, of a regular standing army in this island. Lord Mordaunt said, that the king, being possessed of that force, might now look upon himself as the most considerable gentleman in England.² The fortifications of Gloucester, Taunton, and other towns, which had made resistance to the king during the civil wars, were demolished.

Clarendon not only behaved with wisdom and justice in the office of chancellor: all the counsels, which he gave the king, tended equally to promote the interest of prince and people. Charles, accustomed in his exile to pay entire deference to the judgment of this faithful servant, continued still to submit to his direction; and for some time no minister was ever possessed of more absolute authority. He moderated the forward zeal of the royalists, and tempered their appetite for revenge. With the opposite party, he endeavoured to preserve inviolate all the king's engagements: he kept an exact register of the promises which had been made for any service, and he employed all his industry to fulfil them. This good minister was now nearly allied to the royal family. His daughter, Ann Hyde, a woman of spirit and fine accomplishments, had hearkened, while abroad, to the addresses of the duke of York, and, under promise of marriage, had secretly admitted him to her bed. Her pregnancy appeared soon after the restoration; and though many endeavoured to dissuade the king from consenting to so unequal an alliance, Charles, in pity to his friend and minister, who had been ignorant of these engagements, permitted his brother to marry her.³ Clarendon expressed great uneasiness at the honour which he had obtained: and said, that, by being elevated so much above his rank, he thence dreaded a more sudden downfall.

• PRELACY RESTORED.

Most circumstances of Clarendon's administration have met with applause: his maxims alone in the conduct of ecclesiastical politics have by many been deemed the effect of prejudices narrow and bigoted. Had the jealousy of royal power prevailed so far with the convention parliament, as to make them restore the king with strict limitations, there is no question but the establishment of presbyterian discipline had been one of the conditions most rigidly insisted on. Not only that form of ecclesiastical government is more favourable to liberty than to royal power: it was likewise, on its own account, agreeable to the majority

of the house of commons, and suited their religious principles. But as the impatience of the people, the danger of delay, the general disgust towards faction, and the authority of Monk, had prevailed over that jealous project of limitations, the full settlement of the hierarchy, together with the monarchy, was a necessary and infallible consequence. All the royalists were zealous for that mode of religion; the merits of the episcopal clergy towards the king, as well as their sufferings on that account, had been great; the laws which established bishops and the liturgy were as yet unrepealed by legal authority; and any attempt of the parliament, by new acts, to give the superiority to presbyterianism, had been sufficient to involve the nation again in blood and confusion. Moved by these views, the commons had wisely postponed the examination of all religious controversy, and had left the settlement of the church to the king and to the ancient laws.

The king at first used great moderation in the execution of the laws. Nine bishops still remained alive; and these were immediately restored to their sees: all the ejected clergy recovered their livings: the liturgy, a form of worship decent, and not without beauty, was again admitted into the churches: but, at the same time, a declaration was issued, in order to give contentment to the presbyterians, and preserve an air of moderation and neutrality.⁴ In this declaration, the king promised that he would provide suffragan bishops for the larger dioceses; that the prelates should, all of them, be regular and constant preachers; that they should not confer ordination, or exercise any jurisdiction, without the advice and assistance of presbyters, chosen by the diocese; that such alterations should be made in the liturgy as would render it totally unexceptionable; that, in the mean time, the use of that mode of worship should not be imposed on such as were unwilling to receive it; and that the surplice, the cross in baptism, and bowing at the name of Jesus, should not be rigidly insisted on. This declaration was issued by the king as head of the church; and he plainly assumed, in many parts of it, a legislative authority in ecclesiastical matters. But the English government, though more exactly defined by the late contests, was not as yet reduced, in every particular, to the strict limits of law. And if ever prerogative was justifiably employed, it seemed to be on the present occasion, when all parts of the state were torn with past convulsions, and required the moderating hand of the chief magistrate to reduce them to their ancient order.

INSURRECTION OF THE MILLENARIANS.

But though these appearances of neutrality were maintained, and a mitigated episcopacy

only seemed to be insisted on, it was far from the intention of the ministry always to preserve like regard to the presbyterians. The madness of the fifth-monarchy men afforded them a pretence for departing from it. Venner, a desperate enthusiast, who had often conspired against Cromwel, having, by his zealous lectures, inflamed his own imagination and that of his followers, issued forth at their head into the streets of London. They were, to the number of sixty, completely armed, believed themselves invulnerable and invincible, and firmly expected the same success which had attended Gideon and other heroes of the Old Testament. Every one at first fled before them. One unhappy man, who, being questioned, said, "He was for God and king Charles," was instantly murdered by them. They went triumphantly from street to street, every where proclaiming king Jesus, who, they said, was their invisible leader. At length the magistrates, having assembled some trainbands, made an attack upon them. They defended themselves with order, as well as valour; and, after killing many of the assailants, they made a regular retreat into Cane-Wood, near Hampstead. Next morning they were chased thence by a detachment of the guards; but they ventured again to invade the city, which was not prepared to receive them. After committing great disorder, and traversing almost every street of that immense capital, they retired into a house, which they were resolute to defend to the last extremity. Being surrounded, and the house untiled, they were fired upon from every side, and they still refused quarter. The people rushed in upon them, and seized the few who were alive. These were tried, condemned, and executed; and to the last they persisted in affirming, that if they were deceived, it was the Lord that had deceived them.

Clarendon and the ministry took occasion, from this insurrection, to infer the dangerous spirit of the presbyterians, and of all the sectaries: but the madness of the attempt sufficiently proved, that it had been undertaken by no concert, and never could have proved dangerous. The well-known hatred too, which prevailed between the presbyterians and the other sects, should have removed the former from all suspicion of any concurrence in the enterprise. But as a pretence was wanted, besides their old demerits, for justifying the intended rigours against all of them, this reason, however slight, was greedily laid hold of.

AFFAIRS OF SCOTLAND.

AFFAIRS in Scotland hastened with still quicker steps than those in England towards a settlement and a compliance with the king. It was deliberated in the English council, whether that nation should be restored to its

liberty, or whether the forts erected by Cromwel should not still be upheld, in order to curb the mutinous spirit by which the Scots in all ages had been so much governed. Lauderdale, who, from the battle of Worcester to the restoration, had been detained prisoner in the Tower, had considerable influence with the king; and he strenuously opposed this violent measure. He represented, that it was the loyalty of the Scottish nation which had engaged them in an opposition to the English rebels; and to take advantage of the calamities into which, on that account, they had fallen, would be regarded as the highest injustice and ingratitude: that the spirit of that people was now fully subdued by the servitude under which the usurpers had so long held them, and would of itself yield to any reasonable compliance with their legal sovereign, if, by this means, they recovered their liberty and independence: that the attachment of the Scots towards their king, whom they regarded as their native prince, was naturally much stronger than that of the English; and would afford him a sure resource, in case of any rebellion among the latter: that republican principles had long been, and still were, very prevalent with his southern subjects, and might again menace the throne with new tumults and resistance: that the time would probably come, when the king, instead of desiring to see English garrisons in Scotland, would be better pleased to have Scottish garrisons in England, who, supported by English pay, would be found to curb the seditious genius of that opulent nation: and that a people, such as the Scots, governed by a few nobility, would more easily be reduced to submission under monarchy, than one like the English, who breathed nothing but the spirit of democratical equality.

1661. These views induced the king to disband all the forces in Scotland (1st Jan.) and to raze all the forts which had been erected. General Middleton, created earl of that name, was sent commissioner to the parliament, which was summoned. A very compliant spirit was there discovered in all orders of men. The commissioner had even sufficient influence to obtain an act, annulling, at once, all laws which had passed since the year 1633, on pretext of the violence which, during that time, had been employed against the king and his father, in order to procure their assent to these statutes. This was a very large, if not an unexampled, concession; and, together with many dangerous limitations, overthrew some useful barriers which had been erected to the constitution. But the tide was now running strongly towards monarchy; and the Scottish nation plainly discovered, that their past resistance had proceeded more from the turbulence of their aristocracy, and the bigotry of their ecclesiastics, than from any fixed passion towards civil liberty. The lords of articles

were restored, with some other branches of prerogative; and royal authority, fortified with more plausible claims and pretences, was, in its full extent, re-established in that kingdom.

The prelacy likewise, by the abrogating of every statute enacted in favour of presbytery, was thereby tacitly restored; and the king deliberated what use he should make of this concession. Lauderdale, who at bottom was a passionate zealot against episcopacy, endeavoured to persuade him, that the Scots, if gratified in this favourite point of ecclesiastical government, would, in every other demand, be entirely compliant with the king. Charles, though he had no such attachment to prelacy as had influenced his father and grandfather, had suffered such indignities from the Scottish presbyterians, that he ever after bore them a hearty aversion. He said to Lauderdale, that presbyterianism, he thought, was not a religion for a gentleman; and he could not consent to its farther continuance in Scotland. Middleton too and his other ministers persuaded him, that the nation in general was so disgusted with the violence and tyranny of the ecclesiastics, that any alteration of church government would be universally grateful. And Clarendon, as well as Ormond, dreading that the presbyterian sect, if legally established in Scotland, would acquire authority in England and Ireland, seconded the application of these ministers. The resolution was therefore taken to restore prelacy; a measure afterwards attended with many and great inconveniences: but whether in this resolution Charles chose not the lesser evil, it is very difficult to determine. Sharp, who had been commissioned by the presbyterians in Scotland to manage their interests with the king, was persuaded to abandon that party; and, as a reward for his compliance, was created archbishop of St. Andrews. The conduct of ecclesiastical affairs was chiefly intrusted to him; and as he was esteemed a traitor and a renegade by his old friends, he became on that account, as well as from the violence of his conduct, extremely obnoxious to them.●

Charles had not promised to Scotland any such indemnity as he had ensured to England by the declaration of Breda: and it was deemed more political for him to hold over men's heads, for some time, the terror of punishment, till they should have made the requisite compliances with the new government. Though neither the king's temper nor plan of administration led him to severity, some examples, after such a bloody and triumphant rebellion, seemed necessary; and the marquis of Argyle, and one Guthry, were pitched on as the victims. Two acts of indemnity, one passed by the late king in 1641, another by the present in 1651, formed, it was thought, invincible obstacles to the punishment of Argyle; and

barred all inquiry into that part of his conduct which might justly be regarded as the most exceptionable. Nothing remained but to try him for his compliance with the usurpation; a crime common to him with the whole nation, and such a one as the most loyal and affectionate subject might frequently by violence be obliged to commit. To make this compliance appear the more voluntary and hearty, there were produced in court, letters which he had written to Albemarle, while that general commanded in Scotland, and which contained expressions of the most cordial attachment to the established government. But besides the general indignation excited by Albemarle's discovery of this private correspondence, men thought, that even the highest demonstrations of affection might, during jealous times, be exacted as a necessary mark of compliance from a person of such distinction as Argyle, and could not, by any equitable construction, imply the crime of treason. The parliament, however, scrupled not to pass sentence upon him; and he died with great constancy and courage. As he was universally known to have been the chief instrument of the past disorders and civil wars, the irregularity of his sentence, and several iniquitous circumstances in the method of conducting his trial, seemed, on that account, to admit of some apology. Lord Lorne, son of Argyle, having ever preserved his loyalty, obtained a gift of the forfeiture. Guthry was a seditious preacher, and had personally affronted the king: his punishment gave surprise to nobody. Sir Archibald Johnstone of Warriston was attainted and fled; but was seized in France about two years after, brought over, and executed. He had been very active during all the late disorders, and was even suspected of a secret correspondence with the English regicides.

Besides these instances of compliance in the Scottish parliament, they voted an additional revenue to the king of 40,000 pounds a-year, to be levied by way of excise. A small force was purposed to be maintained by this revenue, in order to prevent like confusions with those to which the kingdom had been hitherto exposed.● An act was also passed, declaring the covenant unlawful, and its obligation void and null.

CONFERENCE AT THE SAVOY. *March 25.*

In England, the civil distinctions seemed to be abolished by the lenity and equality of Charles's administration. Cavalier and Round-head were heard of no more: all men seemed to concur in submitting to the king's lawful prerogatives, and in cherishing the just privileges of the people and of parliament. Theological controversy alone still subsisted, and kept alive some sparks of that flame which

had thrown the nation into combustion. While catholics, independents, and other sectaries, were content with entertaining some prospect of toleration, prelacy and presbytery struggled for the superiority, and the hopes and fears of both parties kept them in agitation. A conference was held in the Savoy between twelve bishops and twelve leaders among the presbyterian ministers, with an intention, at least on pretence, of bringing about an accommodation between the parties. The surplice, the cross in baptism, the kneeling at the sacrament, the bowing at the name of Jesus, were anew canvassed; and the ignorant multitude were in hopes that so many men of gravity and learning could not fail, after deliberate argumentation, to agree in all points of controversy: they were surprised to see them separate more inflamed than ever, and more confirmed in their several prejudices. To enter into particulars would be superfluous. Disputes concerning religious forms are, in themselves, the most frivolous of any; and merit attention only so far as they have influence on the peace and order of civil society.

ARGUMENTS FOR AND AGAINST A COMPREHENSION.

THE king's declaration had promised, that some endeavours should be used to effect a comprehension of both parties; and Charles's own indifference with regard to all such questions seemed a favourable circumstance for the execution of that project. The partisans of a comprehension said, that the presbyterians, as well as the prelatists, having felt by experience the fatal effects of obstinacy and violence, were now well disposed towards an amicable agreement: that the bishops by relinquishing some part of their authority, and dispensing with the most exceptionable ceremonies, would so gratify their adversaries as to obtain their cordial and affectionate compliance, and unite the whole nation in one faith and one worship: that by obstinately insisting on forms, in themselves insignificant, an air of importance was bestowed on them, and men were taught to continue equally obstinate in rejecting them: that the presbyterian clergy would go every reasonable length, rather than, by parting with their livings, expose themselves to a state of beggary, at best of dependence: and that if their pride were flattered by some seeming alterations, and a pretence given them for affirming that they had not abandoned their former principles, nothing farther was wanting to produce a thorough union between those two parties, which comprehended the bulk of the nation.

It was alleged on the other hand, that the difference between religious sects was founded, not on principle, but on passion; and till the

Irregular affections of men could be corrected, it was in vain to expect, by compliances, to obtain a perfect unanimity and comprehension: that the more insignificant the objects of dispute appeared, with the more certainty might it be inferred, that the real ground of dissention was different from that which was universally pretended: that the love of novelty, the pride of argumentation, the pleasure of making proselytes, and the obstinacy of contradiction, would for ever give rise to sects and disputes; nor was it possible that such a source of dissention could ever, by any concessions, be entirely exhausted: that the church, by departing from ancient practices and principles, would tacitly acknowledge herself guilty of error, and lose that reverence, so requisite for preserving the attachment of the multitude; and that if the present concessions (which was more than probable) should prove ineffectual, greater must still be made; and in the issue, discipline would be despoiled of all its authority, and worship of all its decency, without obtaining that end which had been so fondly sought for by these dangerous indulgences.

The ministry were inclined to give the preference to the latter arguments; and were the more confirmed in that intention by the disposition, which appeared in the parliament lately assembled (8th May). The royalists and zealous churchmen were at present the popular party in the nation, and, seconded by the efforts of the court, had prevailed in most elections. Not more than fifty-six members of the presbyterian party had obtained seats in the lower house;^b and these were not able either to oppose or retard the measures of the majority. Monarchy, therefore, and episcopacy, were now exalted to as great power and splendour as they had lately suffered misery and depression. Sir Edward Turner was chosen speaker.

An act was passed for the security of the king's person and government. To intend or devise the king's imprisonment, or bodily harm, or deposition, or levying war against him, was declared, during the lifetime of his present majesty, to be high treason. To affirm him to be a papist or heretic, or to endeavour by speech or writing to alienate his subjects' affections from him; these offences were made sufficient to incapacitate the person guilty from holding any employment in church or state. To maintain that the long parliament is not dissolved, or that either or both houses, without the king, are possessed of legislative authority, or that the covenant is binding, was made punishable by the penalty of premunire.

The covenant itself, together with the act for erecting the high court of justice, that for subscribing the engagement, and that for declaring England a commonwealth, were

ordered to be burnt by the hands of the hangman. The people assisted with great alacrity on this occasion.

The abuses of petitioning in the preceding reign had been attended with the worst consequences; and to prevent such irregular practices for the future, it was enacted, that no more than twenty hands should be fixed to any petition, unless with the sanction of three justices, or the major part of the grand jury; and that no petition should be presented to the king or either house by above ten persons. The penalty annexed to a transgression of this law was a fine of a hundred pounds and three months' imprisonment.

BISHOPS' SEATS RESTORED.

THE bishops, though restored to their spiritual authority, were still excluded from parliament by the law which the late king had passed immediately before the commencement of the civil disorders. Great violence, both against the king and the house of peers, had been employed in passing this law; and on that account alone, the partisans of the church were provided with a plausible pretence for repealing it. Charles expressed much satisfaction, when he gave his assent to the act for that purpose. It is certain, that the authority of the crown, as well as that of the church, was interested in restoring the prelates to their former dignity. But those, who deemed every acquisition of the prince a detriment to the people, were apt to complain of this instance of complaisance in the parliament.

After an adjournment of some months, the parliament was again assembled (20th Nov.), and proceeded in the same spirit as before. They discovered no design of restoring, in its full extent, the ancient prerogative of the crown: they were only anxious to repair all those breaches which had been made, not by the love of liberty, but by the fury of faction and civil war. The power of the sword had, in all ages, been allowed to be vested in the crown; and though no law conferred this prerogative, every parliament, till the last of the preceding reign, had willingly submitted to an authority more ancient, and therefore more sacred, than that of any positive statute. It was now thought proper solemnly to relinquish the violent pretensions of that parliament, and to acknowledge, that neither one house, nor both houses, independent of the king, were possessed of any military authority. The preamble to this statute went so far as to renounce all right even of *defensive* arms against the king; and much observation has been made with regard to a concession esteemed so singular. Were these terms taken in their full literal sense, they imply a total renunciation of limitations to monarchy, and of all privileges in the subject,

independent of the will of the sovereign. For as no rights can subsist without some remedy still less rights exposed to so much invasion from tyranny, or even from ambition; if subjects must never resist, it follows, that every prince, without any effort, policy, or violence, is at once rendered absolute and uncontrollable: the sovereign needs only issue an edict, abolishing every authority but his own; and all liberty, from that moment, is in effect annihilated. But this meaning it were absurd to impute to the present parliament, who, though zealous royalists, showed in their measures, that they had not cast off all regard to national privileges. They were probably sensible, that to suppose in the sovereign any such invasion of public liberty is entirely unconstitutional; and that therefore expressly to reserve, upon that event, any right of resistance in the subject, must be liable to the same objection. * They had seen that the long parliament, under colour of defence, had begun a violent attack upon kingly power; and, after involving the kingdom in blood, had finally lost that liberty for which they had so imprudently contended. They thought, perhaps erroneously, that it was no longer possible, after such public and such exorbitant pretensions, to persevere in that prudent silence hitherto maintained by the laws; and that it was necessary, by some positive declaration, to bar the return of like inconveniences. When they excluded, therefore, the right of defence, they supposed, that the constitution remaining firm upon its basis, there never really could be an attack made by the sovereign. If such an attack was at any time made, the necessity was then extreme and the case of extreme and violent necessity no laws, they thought, could comprehend; because to such a necessity no laws could beforehand point out a proper remedy.

CORPORATION ACT.

THE other measures of this parliament still discovered a more anxious care to guard against rebellion in the subject than encroachments in the crown: the recent evils of civil war and usurpation had naturally increased the spirit of submission to the monarch, and had thrown the nation into that dangerous extreme. During the violent and jealous government of the parliament and of the protectors, all magistrates, liable to suspicion, had been expelled the corporations; and none had been admitted, who gave not proofs of affection to the ruling powers, or who refused to subscribe the covenant. To leave all authority in such hands seemed dangerous; and the parliament, therefore, empowered the king to appoint commissioners for regulating the corporations, and expelling such magistrates as either intruded themselves by violence, or professed principles

dangerous to the constitution, civil and ecclesiastical. It was also enacted, that all magistrates should disclaim the obligation of the covenant, and should declare, both their belief, that it was not lawful, upon any pretence whatsoever, to resist the king, and their abhorrence of the traitorous position of taking arms by the king's authority against his person, or against those who were commissioned by him.

ACT OF UNIFORMITY. 1662.

THE care of the church was no less attended to by this parliament, than that of monarchy; and the bill of uniformity was a pledge of their sincere attachment to the episcopal hierarchy, and of their antipathy to presbyterianism. Different parties, however, concurred in promoting this bill, which contained many severe clauses. The independents and other sectaries, enraged to find all their schemes subverted by the presbyterians, who had once been their associates, exerted themselves to disappoint that party of the favour and indulgence, to which, from their recent merits in promoting the restoration, they thought themselves justly entitled. By the presbyterians, said they, the war was raised: by them was the populace first incited to tumults: by their zeal, interest, and riches, were the armies supported: by their force was the king subdued: and if, in the sequel, they protested against those extreme violences, committed on his person by the military leaders, their opposition came too late, after having supplied these usurpers with the power and the pretences, by which they maintained their sanguinary measures. They had indeed concurred with the royalists in recalling the king: but ought they to be esteemed, on that account, more affectionate to the royal cause? Rage and animosity, from disappointed ambition, were plainly their sole motives; and if the king should now be so imprudent as to distinguish them by any particular indulgences, he would soon experience from them the same hatred and opposition which had proved so fatal to his father.

The catholics, though they had little interest in the nation, were a considerable party at court; and from their services and sufferings during the civil wars, it seemed but just to hear them some favour and regard. These religionists dreaded an entire union among the protestants. Were they the sole nonconformists in the nation, the severe execution of penal laws upon their sect seemed an infallible consequence; and they used, therefore, all their interest to push matters to extremity against the presbyterians, who had formerly been their most severe oppressors, and whom they now expected for their companions in affliction. The earl of Bristol, who, from conviction, or inter-

rest, or levity, or complaisance for the company with whom he lived, had changed his religion during the king's exile, was regarded as the head of this party.

The church party had, during so many years, suffered such injuries and indignities from the sectaries of every denomination, that no moderation, much less deference, was on this occasion to be expected in the ecclesiastics. Even the laity of that communion seemed now disposed to retaliate upon their enemies, according to the usual measures of party justice. This sect or faction (for it partook of both) encouraged the rumours of plots and conspiracies against the government; crimes which, without any apparent reason, they imputed to their adversaries. And instead of enlarging the terms of communion, in order to comprehend the presbyterians, they gladly laid hold of the prejudices, which prevailed among that sect, in order to eject them from their livings. By the bill of uniformity it was required that every clergyman should be re-ordained, if he had not before received episcopal ordination; should declare his assent to every thing contained in the Book of Common Prayer; should take the oath of canonical obedience; should abjure the solemn league and covenant; and should renounce the principle of taking arms, on any pretence whatsoever, against the king.*

This bill reinstated the church in the same condition in which it stood before the commencement of the civil wars; and as the old persecuting laws of Elizabeth still subsisted in their full rigour, and new clauses of a like nature were now enacted, all the king's promises of toleration and of indulgence to tender consciences were thereby eluded and broken. It is true, Charles, in his declaration from Breida, had expressed his intention of regulating that indulgence by the advice and authority of parliament: but this limitation could never reasonably be extended to a total infringement and violation of his engagements. However, it is agreed, that the king did not voluntarily concur with this violent measure, and that the zeal of Clarendon and of the church party among the commons, seconded by the intrigues of the catholics, was the chief cause which extorted his consent.

The royalists, who now predominated, were very ready to signalize their victory, by establishing those high principles of monarchy which their antagonists had controverted: but when any real power or revenue was demanded for the crown, they were neither so forward nor so liberal in their concessions as the king would gladly have wished. Though the parliament passed laws for regulating the navy, they took no notice of the army; and declined giving their sanction to this dangerous innovation. The king's debts were become

intolerable; and the commons were at last constrained to vote him an extraordinary supply of 1,200,000 pounds, to be levied by eighteen monthly assessments. But besides that this supply was much inferior to the occasion, the king was obliged earnestly to solicit the commons, before he could obtain it; and, in order to convince the house of its absolute necessity, he desired them to examine strictly into all his receipts and disbursements. Finding likewise upon inquiry, that the several branches of revenue fell much short of the sums expected, they at last, after much delay, voted a new imposition of two shillings on each hearth; and this tax they settled on the king during life. The whole established revenue, however, did not, for many years, exceed a million;⁶ a sum confessedly too narrow for the public expences. A very rigid frugality at least, which the king seems to have wanted, would have been requisite to make it suffice for the dignity and security of government. After all business was dispatched, the parliament was prorogued (19th May).

KING'S MARRIAGE.

BEFORE the parliament rose, the court was employed in making preparations for the reception of the new queen, Catharine of Portugal, to whom the king was betrothed, and who had just landed at Portsmouth. During the time that the protector carried on the war with Spain, he was naturally led to support the Portuguese in their revolt; and he engaged himself by treaty to supply them with 10,000 men for their defence against the Spaniards. On the king's restoration, advances were made by Portugal for the renewal of the alliance; and in order to bind the friendship closer, an offer was made of the Portuguese princess, and a portion of 500,000 pounds, together with two fortresses, Tangiers in Africa, and Bombay in the East Indies. Spain, who, after the peace of the Pyrenees, bent all her force to recover Portugal, now in appearance abandoned by France, took the alarm, and endeavoured to fix Charles in an opposite interest. The catholic king offered to adopt any other princess as a daughter of Spain, either the princess of Parma, or what he thought more popular, some protestant princess, the daughter of Denmark, Saxony, or Orange: and on any of these, he promised to confer a dowry equal to that which was offered by Portugal. But many reasons inclined Charles rather to accept of the Portuguese proposals. The great disorders in the government and finances of Spain made the execution of her promises be much doubted; and the king's urgent necessities demanded some immediate supply of money. The interest of the English commerce likewise seemed to require that the independency of Portugal should

be supported, lest the union of that crown with Spain should put the whole treasures of America into the hands of one potentate. The claims too of Spain upon Dunkirk and Jamaica, rendered it impossible, without farther concessions, to obtain the cordial friendship of that power: and on the other hand, the offer, made by Portugal, of two such considerable fortresses, promised a great accession to the naval force of England. Above all, the proposals of a protestant princess was no allurements to Charles, whose inclinations led him strongly to give the preference to a catholic alliance. According to the most probable accounts,⁷ the resolution of marrying the daughter of Portugal was taken by the king, unknown to all his ministers; and no remonstrances could prevail with him to alter his intentions. When the matter was laid before the council, all voices concurred in approving the resolution; and the parliament expressed the same complaisance. And thus was concluded (21st May), seemingly with universal consent, the inauspicious marriage with Catherine, a princess of virtue, but who was never able, either by the graces of her person or humour, to make herself agreeable to the king. The report, however, of her natural incapacity to have children, seems to have been groundless; since she was twice declared to be pregnant.⁸

The festivity of these espousals was clouded by the trial and execution of criminals. Berkestead, Cobbet, and Okey, three regicides, had escaped beyond sea; and after wandering some time concealed in Germany, came privately to Delft, having appointed their families to meet them in that place. They were discovered by Downing, the king's resident in Holland, who had formerly served the protector and commonwealth in the same station, and who once had even been chaplain to Okey's regiment. He applied for a warrant to arrest them. It had been usual for the States to grant these warrants; though, at the same time, they had ever been careful secretly to advertise the persons, that they might be enabled to make their escape. This precaution was eluded by the vigilance and dispatch of Downing. He quickly seized the criminals, hurried them on board a frigate which lay off the coast, and sent them to England. These three men behaved with more moderation and submission, than any of the other regicides who had suffered. Okey in particular, at the place of execution, prayed for the king, and expressed his intention, had he lived, of submitting peaceably to the established government. He had risen during the wars from being a chandler in London to a high rank in the army; and in all his conduct appeared to be a man of humanity and honour. In consideration of his good character and of his dutiful behaviour, his body was given to his friends to be buried.

TRIAL OF VANE.

THE attention of the public was much engaged by the trial of two distinguished criminals, Lambert and Vane. These men, though none of the late king's judges, had been excepted from the general indemnity, and committed to prison. The convention-parliament, however, was so favourable to them, as to petition the king, if they should be found guilty, to suspend their execution: but this new parliament, more zealous for monarchy, applied for their trial and condemnation. Not to revive disputes, which were better buried in oblivion, the indictment of Vane did not comprehend any of his actions during the war between the king and parliament: it extended only to his behaviour after the late king's death, as member of the council of state, and secretary of the navy, where fidelity to the trust reposed in him required his opposition to monarchy.

Vane wanted neither courage nor capacity to avail himself of this advantage. He urged, that, if a compliance with the government, at that time established in England, and the acknowledging of its authority, were to be regarded as criminal, the whole nation had incurred equal guilt, and none would remain, whose innocence could entitle them to try or condemn him for his pretended treasons: that according to these maxims, wherever an illegal authority was established by force, a total and universal destruction must ensue; while the usurpers proscribed one part of the nation for disobedience, the lawful prince punished the other for compliance: that the legislature of England, ~~forbear~~ in this violent situation, had provided for public security by the famous statute of Henry VII.; in which it was enacted, that no man, in case of any revolution, should ever be questioned for his obedience to the king in being: that whether the established government were a monarchy or a commonwealth, the reason of the thing was still the same; nor ought the expelled prince to think himself entitled to allegiance, so long as he could not afford protection: that it belonged not to private persons, possessed of no power, to discuss the title of their governors; and every usurpation, even the most flagrant, would equally require obedience with the most legal establishment, that the controversy between the late king and his parliament was of the most delicate nature; and men of the greatest probity had been divided in their choice of the party which they should embrace: that the parliament, being rendered indissoluble but by its own consent, was become a kind of co-ordinate power with the king; and as the case was thus entirely new and unknown to the constitution, it ought not to be tried rigidly by the letter of the ancient laws: that for his part, all the

violences, which had been put upon the parliament, and upon the persons of the sovereign he had ever condemned; nor had he once appeared in the house for some time before and after the execution of the king: that finding the whole government thrown into disorder, he was still resolved, in every revolution, to adhere to the commons, the root, the foundation of all lawful authority: that in prosecution of this principle, he had cheerfully undergone all the violence of Cromwel's tyranny; and would now, with equal alacrity, expose himself to the rigour of perverted law and justice: that though it was in his power, on the king's restoration, to have escaped from his enemies, he was determined, in imitation of the most illustrious names of antiquity, to perish in defence of liberty, and to give testimony with his blood for that honourable cause, in which he had been enlisted: and that, besides the ties by which God and nature had bound him to his native country, he was voluntarily engaged by the most sacred covenant, whose obligation no earthly power should ever be able to make him relinquish.

EXECUTION OF VANE. *June 14.*

ALL the defence, which Vane could make, was fruitless. The court, considering more the general opinion of his active guilt in the beginning and prosecution of the civil wars, than the articles of treason charged against him, took advantage of the letter of the law, and brought him in guilty. His courage deserted him not upon his condemnation. Though timid by nature, the persuasion of a just cause supported him against the terrors of death; while his enthusiasm, excited by the prospect of glory, embellished the conclusion of a life, which, through the whole course of it, had been so much disfigured by the prevalence of that principle. Lest pity for a courageous sufferer should make impression on the populace, drummers were placed under the scaffold, whose noise, as he began to launch out in reflexions on the government, drowned his voice, and admonished him to temper the ardour of his zeal. He was not astonished at this unexpected incident. In all his behaviour, there appeared a firm and animated intrepidity; and he considered death but as a passage to that eternal felicity, which he believed to be prepared for him.

This man, so celebrated for his parliamentary talents, and for his capacity in business, has left some writings behind him: they treat, all of them, of religious subjects, and are absolutely unintelligible: no traces of eloquence, or even of common sense, appear in them. A strange paradox! did we not know, that men of the greatest genius, where they relinquish by principle the use of their reason, are only

enabled, by their vigour of mind, to work themselves the deeper into error and absurdity. It was remarkable, that, as Vane, by being the chief instrument of Strafford's death, had first opened the way for that destruction which overwhelmed the nation; so by his death he closed the scene of blood. He was the last that suffered on account of the civil wars. Lambert, though condemned, was reprieved at the bar; and the judges declared, that, if Vane's behaviour had been equally dutiful and submissive, he would have experienced like lenity in the king. Lambert survived his condemnation near thirty years. He was confined to the isle of Guernsey; where he lived contented, forgetting all his past schemes of greatness, and entirely forgotten by the nation: he died a Roman catholic.

PRESBYTERIAN CLERGY EJECTED.

Aug. 24.

HOWEVER odious Vane and Lambert were to the presbyterians, that party had no leisure to rejoice at their condemnation. The fatal St. Bartholomew approached; the day, when the clergy were obliged by the late law, either to relinquish their livings, or to sign the articles required of them. A combination had been entered into by the most zealous of the presbyterian ecclesiastics to refuse the subscription; in hopes that the bishops would not venture at once to expel so great a number of the most popular preachers. The catholic party at court, who desired a great rent among the protestants, encouraged them in this obstinacy, and gave them hopes that the king would protect them in their refusal. The king himself, by his irresolute conduct, contributed, either from design or accident, to increase this opinion. Above all, the terms of subscription had been made strict and rigid, on purpose to disgust all the zealous and scrupulous among the presbyterians, and deprive them of their livings. About 2000 of the clergy, in one day, relinquished their cures; and to the astonishment of the court, sacrificed their interest to their religious tenets. Fortified by society in their sufferings, they were resolved to undergo any hardships, rather than openly renounce those principles, which, on other occasions, they were so apt, from interest, to warp or elude. The church enjoyed the pleasure of retaliation; and even pushed, as usual, the vengeance farther than the offence. During the dominion of the parliamentary party, a fifth of each living had been left to the ejected clergymen; but this indulgence, though at first insisted on by the house of peers, was now refused to the presbyterians. However difficult to conciliate peace among theologians, it was hoped by many, that some relaxation in the terms of commu-

nion might have kept the presbyterians united to the church, and have cured those ecclesiastical factions which had been so fatal, and were still so dangerous. Bishoprics were offered to Calamy, Baxter, and Reynolds, leaders among the presbyterians; the last only could be prevailed on to accept. Deaneries and other preferments were refused by many.

DUNKIRK SOLD TO THE FRENCH.

THE next measure of the king has not had the good fortune to be justified by any party; but is often considered, on what grounds I shall not determine, as one of the greatest mistakes, if not blemishes, of his reign. It is the sale of Dunkirk to the French. The parsimonious maxims of the parliament, and the liberal, or rather careless disposition of Charles, were ill suited to each other; and notwithstanding the supplies voted him, his treasury was still very empty and much indebted. He had secretly received the sum of 200,000 crowns from France for the support of Portugal; but the forces sent over to that country, and the fleets maintained in order to defend it, had already cost the king that sum; and together with it, near double the money which had been payed as the queen's portion.⁹ The time fixed for payment of his sister's portion to the duke of Orleans was approaching. Tangiers, a fortress from which great benefit was expected, was become an additional burden to the crown; and Rutherford, who now commanded in Dunkirk, had increased the charge of that garrison to a hundred and twenty thousand pounds a year. These considerations had such influence, not only on the king, but even on Clarendon, that this uncorrupt minister was the most forward to advise accepting a sum of money in lieu of a place which he thought the king, from the narrow state of his revenue, was no longer able to retain. By the treaty with Portugal it was stipulated that Dunkirk should never be yielded to the Spaniards: France was therefore the only purchaser that remained. D'Estrades was invited over by a letter from the chancellor himself in order to conclude the bargain. Nine hundred thousand pounds were demanded. One hundred thousand were offered. The English by degrees lowered their demand: the French raised their offer: and the bargain was concluded at 400,000 pounds. The artillery and stores were valued at a fifth of the sum.¹⁰ The importance of this sale was not, at that time, sufficiently known, either abroad or at home.¹¹ The French monarch himself, so fond of acquisitions, and so good a judge of his own interests, thought that he had made a hard bargain;¹² and this sum, in appearance so small, was the utmost which he would allow his ambassador to offer.

DECLARATION OF INDULGENCE.

Dec. 26.

A NEW incident discovered such a glimpse of the king's character and principles, as, at first, the nation was somewhat at a loss how to interpret, but such as subsequent events, by degrees, rendered sufficiently plain and manifest. He issued a declaration on pretence of mitigating the rigours contained in the act of uniformity. After expressing his firm resolution to observe the general indemnity, and to trust entirely to the affections of his subjects, not to any military power, for the support of his throne, he mentioned the promises of liberty of conscience, contained in his declaration of Breda. And he subjoined, that, "as in the first place he had been zealous to settle the uniformity of the church of England, in discipline, ceremony, and government, and shall ever constantly maintain it: so as for what concerns the penalties upon those who, living peaceably, do not conform themselves thereto, through scruple and tenderness of misguided conscience, but modestly and without scandal perform their devotions in their own way, he should make it his special care, so far as in him lay, without invading the freedom of parliament, to incline their wisdom next approaching sessions to concur with him in making some such act for that purpose, as may enable him to exercise, with a more universal satisfaction, that power of dispensing which he conceived to be inherent in him."¹³ Here, a most important prerogative was exercised by the king; but under such artful reserves and limitations as might prevent the full discussion of the claim, and obviate a breach between him and his parliament. The foundation of this measure lay much deeper, and was of the utmost consequence.

The king, during his exile, had imbibed strong prejudices in favour of the catholic religion; and, according to the most probable accounts, had already been secretly reconciled in form to the church of Rome. The great zeal, expressed by the parliamentary party against all papists, had always, from a spirit of opposition, inclined the court, and all the royalists, to adopt more favourable sentiments towards that sect, which, through the whole course of the civil wars, had strenuously supported the rights of the sovereign. The rigour too, which the king, during his abode in Scotland, had experienced from the presbyterians, disposed him to run into the other extreme, and to bear a kindness to the party most opposite in its genius to the severity of those religionists. The solicitations and importunities of the queen mother, the contagion of the company which he frequented, the view of a more splendid and courtly mode of worship, the hopes of indulgence in pleasure; all

these causes operated powerfully on a young prince, whose careless and dissolute temper made him incapable of adhering closely to the principles of his early education. But if the thoughtless humour of Charles rendered him an easy convert to popery, the same disposition ever prevented the theological tenets of that sect from taking any fast hold of him. During his vigorous state of health, while his blood was warm and his spirits high, a contempt and disregard to all religion held possession of his mind; and he might more properly be denominated a deist than a catholic. But in those revolutions of temper, when the love of raiery gave place to reflection, and his penetrating, but negligent, understanding was clouded with fears and apprehension, he had starts of more sincere conviction; and a sect, which always possessed his inclination, was then master of his judgment and opinion.¹⁴

But though the king thus fluctuated, during his whole reign, between irreligion, which he more openly professed, and popery, to which he retained a secret propensity, his brother, the duke of York, had zealously adopted all the principles of that theological party. His eager temper and narrow understanding made him a thorough convert, without any reserve from interest, or doubts from reasoning and inquiry. By this application to business he had acquired a great ascendancy over the king, who, though possessed of more discernment, was glad to throw the burden of affairs on the duke, of whom he entertained little jealousy. On pretence of easing the protestant dissenters, they agreed upon a plan for introducing a general toleration, and giving the catholics the free exercise of their religion; at least, the exercise of it in private houses. The two brothers saw with pleasure so numerous and popular a body of the clergy refuse conformity; and it was hoped that, under shelter of their name, the small and hated sect of the catholics might meet with favour and protection.

1693. But while the king pleaded his early promises of toleration, and insisted on many other plausible topics, the parliament, who sat a little after the declaration was issued (18th Feb.), could by no means be satisfied with this measure. The declared intention of easing the dissenters, and the secret purpose of favouring the catholics, were equally disagreeable to them; and in these prepossessions they were encouraged by the king's ministers themselves, particularly the chancellor. The house of commons represented to the king, that his declaration of Breda contained no promise to the presbyterians and other dissenters, but only an expression of his intentions, upon supposition of the concurrence of parliament: that even if the non-conformists had been entitled to plead a promise, they had intrusted this claim, as all their other rights and pri

vilages, to the house of commons, who were their representatives, and who now freed the king from that obligation: that it was not to be supposed that his majesty and the houses were so bound by that declaration as to be incapacitated from making any laws which might be contrary to it: that even at the king's restoration, there were laws of uniformity in force which could not be dispensed with but by act of parliament: and that the indulgence intended would prove most pernicious both to church and state, would open the door to schism, encourage faction, disturb the public peace, and discredit the wisdom of the legislature. The king did not think proper, after this remonstrance, to insist any farther at present on the project of indulgence.

In order to deprive the catholics of all hopes, the two houses concurred in a remonstrance against them. The king gave a gracious answer; though he scrupled not to profess his gratitude towards many of that persuasion, on account of their faithful services in his father's cause and in his own. A proclamation, for form's sake, was soon after issued against Jesuits and Romish priests: but care was taken, by the very terms of it, to render it ineffectual. The parliament had allowed, that all foreign priests, belonging to the two queens, should be excepted, and that a permission for them to remain in England should still be granted. In the proclamation, the word *foreign* was purposely omitted; and the queens were thereby authorized to give protection to as many English priests as they should think proper.

That the king might reap some advantage from his compliance, however fallacious, he engaged the commons anew into an examination of his revenue, which, chiefly by the negligence in levying it, had proved, he said, much inferior to the public charges. Notwithstanding the price of Dunkirk, his debts, he complained, amounted to a considerable sum; and to satisfy the commons that the money formerly granted him had not been prodigally expended, he offered to lay before them the whole account of his disbursements. It is, however, agreed on all hands, that the king, though during his banishment he had managed his small and precarious income with great order and economy, had now much abated of these virtues, and was unable to make his royal revenues suffice for his expences. The commons, without entering into too nice a disquisition, voted him four subsidies; and this was the last time that taxes were levied in that manner.

Several laws were made this session with regard to trade. The militia also came under consideration, and some rules were established for ordering and arming it. It was enacted, that the king should have no power of keeping the militia under arms above fourteen days in the year. The situation of this island, to-

gether with its great naval power, has always occasioned other means of security, however requisite, to be much neglected among us: and the parliament showed here a very superfluous jealousy of the king's strictness in disciplining the militia. The principles of liberty rather require a contrary jealousy.

The earl of Bristol's friendship with Clarendon, which had subsisted with great intimacy during their exile and the distresses of the royal party, had been considerably impaired since the restoration, by the chancellor's refusing his assent to some grants, which Bristol had applied for to a court lady: and a little after, the latter nobleman, agreeably to the impetuosity and indiscretion of his temper, broke out against the ministry in the most outrageous manner. He even entered a charge of treason against him, before the house of peers; but had concerted his measures so imprudently, that the judges, when consulted, declared, that neither for its matter nor its form, could the charge be legally received. The articles indeed resemble more the incoherent altercations of a passionate enemy, than a serious accusation, fit to be discussed by a court of judicature; and Bristol himself was so ashamed of his conduct and defeat, that he absconded during some time. Notwithstanding his fine talents, his eloquence, his spirit, and his courage, he could never regain the character which he lost by this hasty and precipitate measure.

DECLINE OF CLARENDON'S CREDIT.

But though Clarendon was able to elude this rash assault, his credit at court was sensibly declining; and in proportion as the king found himself established on the throne, he began to alienate himself from a minister, whose character was so little suited to his own. Charles's favour for the catholics was always opposed by Clarendon, public liberty was secured against all attempts of the over-zealous royalists, prodigal grants of the king were checked or refused, and the dignity of his own character was so much consulted by the chancellor, that he made it an inviolable rule, as did also his friend Southampton, never to enter into any connexion with the royal mistresses. The king's favourite was Mrs. Palmer, afterwards created dutchess of Cleveland; a woman prodigal, rapacious, dissolute, violent, revengeful. She failed not in her turn to undermine Clarendon's credit with his master; and her success, was at this time made apparent to the whole world. Secretary Nicholas, the chancellor's great friend, was removed from his place; and sir Harry Bennet, his avowed enemy, was advanced to that office. Bennet was soon after created lord Arlington.

Though the king's conduct had hitherto, since his restoration, been, in the main, laud

able, men of penetration began to observe, that those virtues by which he had at first so much dazzled and enchanted the nation, had great show, but not equal solidity. His good understanding lost much of its influence by his want of application; his bounty was more the result of a facility of disposition, than any generosity of character; his social humour led him frequently to neglect his dignity; his love of pleasure was not attended with proper sentiment and decency; and while he seemed to bear a good-will to every one that approached him, he had a heart not very capable of friendship, and he had secretly entertained a very bad opinion and distrust of mankind. But above all, what sullied his character, in the eyes of good judges, was his negligent ingratitude towards the unfortunate cavaliers, whose zeal and sufferings in the royal cause had known no bounds. This conduct, however, in the king, may, from the circumstances of his situation and temper, admit of some excuse; at least of some alleviation. As he had been restored more by the efforts of his reconciled enemies than of his ancient friends, the former pretended a title to share his favour; and being, from practice, acquainted with public business, they were better qualified to

execute any trust committed to them. The king's revenues were far from being large, or even equal to his necessary expences; and his mistresses, and the companions of his mirth and pleasures, gained, by solicitation, every request from his easy temper. The very poverty, to which the more zealous royalists had reduced themselves, by rendering them insignificant, made them unfit to support the king's measures, and caused him to deem them a useless incumbrance. And as many false and ridiculous claims of merit were offered, his natural indolence, averse to a strict discussion or inquiry, led him to treat them all with equal indifference. The parliament took some notice of the poor cavaliers. Sixty thousand pounds were at one time distributed among them: Mrs. Lane also, and the Penderells, had handsome presents and pensions from the king. But the greater part of the royalists still remained in poverty and distress; aggravated by the cruel disappointment in their sanguine hopes, and by seeing favour and preferment bestowed upon their most inveterate foes. With regard to the act of indemnity and oblivion, they universally said, that it was an act of indemnity to the king's enemies, and of oblivion to his friends.

NOTES.

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1 Journals; vol. viii. p. 24.

2 King James's Memoirs. This prince says, that Vane's insurrection furnished a reason or pretence for keeping up the guards, which were intended at first to have been disbanded with the rest of the army.

3 King James's Memoirs.

4 Parl. Hist. vol. xxiii. p. 173.

5 Carte's Answer to the Bytander, p. 72.

6 D'Estrades, 25th of July, 1661. Mr. Ralph's History, vol. i. p. 176.

7 Carte's Orations, vol. ii. p. 254. This account seems better supported, than that in Ablandcourt's Memoirs, that the chancellor chiefly pushed the Portuguese alliance. The secret transactions of the court of England could not be supposed to be much known to a French resident at Lisbon: and whatever opposition the chancellor might make, he would certainly endeavour to conceal it from the

queen and all her family, and even in the parliament and council would support the resolution already taken. *Clarendon himself says, in his Memoirs, that he never either opposed or promoted the Portuguese match.*

8 Lord Lansdowne's Defence of General Monk. Temple, vol. ii. p. 154.

9 D'Estrades, 17th of August, 1662. There was above half of 500,000 pounds really paid as the queen's portion.

10 D'Estrades, 21st of August, 16th of September, 1662.

11 It appears, however, from many of D'Estrades's letters, particularly that of the 21st of August, 1661, that the king might have transferred Dunkirk to the parliament, who would not have refused to bear the charges of it, but were unwilling to give money to the king for that purpose. The king, on the other hand, was jealous lest the parliament should acquire any separate dominion

or authority in a branch of administration which seemed so little to belong to them: a proof that the government was not yet settled into that composure and mutual confidence which is absolutely requisite for conducting it.

12 Id. 3rd of October, 1662. The chief importance indeed of Dunkirk to the English was, that it was able to distress their trade, when in the hands of the French: but it was Lewis the XIVth who first made it a good sea port. If ever England have occasion to transport armies to the continent, it must be in support of some ally whose towns serve to the same purpose as Dunkirk would, if in the hands of the English.

13 Kennet's Register, p. 830.

14 The author confesses that the king's zeal for property was apt, at intervals, to go farther than is here supposed, as appears from many passages in James the second's Memoirs.

CHAPTER LXIV

A new Session.—Rupture with Holland.—A new Session.—Victory of the English.—Rupture with France.—Rupture with Denmark.—New Session.—Sea-fight of four Days.—Victory of the English.—Fire of London.—Advances towards Peace.—Disgrace at Chatham.—Peace of Breda.—Clarendon's Fall, and Banishment.—State of France.—Character of Lewis XIV.—French Invasion of the Low Countries.—Negotiations.—Triple League.—Treaty of Aix-la-Chapelle.—Affairs of Scotland, and of Ireland.

A NEW SESSION. March 16, 1664.

THE next session of parliament discovered a continuance of the same principles which had prevailed in all the foregoing. Monarchy and the church were still the objects of regard and affection. During no period of the present reign did this spirit more evidently pass the bounds of reason and moderation.

The king, in his speech to the parliament, had ventured openly to demand a repeal of the triennial act; and he even went so far as to declare that, notwithstanding the law, he never would allow any parliament to be assembled by the methods prescribed in that statute. The parliament, without taking offence at this declaration, repealed the law; and, in lieu of all the securities formerly provided, satisfied themselves with a general clause, "that parliaments should not be interrupted above three years at the most." As the English parliament had now raised itself to be a regular check and control upon royal power, it is evident that they ought still to have preserved a regular security for their meeting, and not have trusted entirely to the good-will of the king, who, if ambitious or enterprising, had so little reason to be pleased with these assemblies. Before the end of Charles's reign, the nation had occasion to feel very sensibly the effects of this repeal.

By the act of uniformity, every clergyman, who should officiate without being properly qualified, was punishable by fine and imprisonment: but, this security was not thought sufficient for the church. It was now enacted, that wherever five persons above those of the same household should assemble in a religious congregation, every one of them was liable, for the first offence, to be imprisoned three months, or pay five pounds; for the second, to be imprisoned six months, or pay ten pounds; and for the third, to be transported seven years, or pay a hundred pounds. The parliament had only in their eye the malignity of the sectaries: they should have carried their attention farther, to the chief cause of that malignity, the restraint under which they laboured.

The commons likewise passed a vote, that the wrongs, dishonours, and indignities, offered to the English by the subjects of the United

Provinces, were the greatest obstructions to all foreign trade; and they promised to assist the king with their lives and fortunes in asserting the rights of his crown, against all opposition whatsoever. This was the first open step towards the Dutch war. We must explain the causes and motives of this measure.

RUPTURE WITH HOLLAND.

THAT close union and confederacy, which, during a course of near seventy years, has subsisted, almost without interruption or jealousy, between England and Holland, is not so much founded on the natural unalterable interests of these states, as on their terror of the growing power of the French monarch, who, without their combination, it is apprehended, would soon extend his dominion over Europe. In the first years of Charles's reign, when the ambitious genius of Lewis had not, as yet, displayed itself, and when the great force of his people was, in some measure, unknown even to themselves, the rivalry of commerce, not checked by any other jealousy or apprehension, had in England begotten a violent enmity against the neighbouring republic.

Trade was beginning, among the English, to be a matter of general concern; but notwithstanding all their efforts and advantages, their commerce seemed hitherto to stand upon a footing, which was somewhat precarious. The Dutch, who by industry and frugality were enabled to undersell them in every market, retained possession of the most lucrative branches of commerce; and the English merchants had the mortification to find that all attempts to extend their trade were still turned, by the vigilance of their rivals, to their loss and dishonour. Their indignation increased, when they considered the superior naval power of England; the bravery of her officers and seamen, her favourable situation, which enabled her to intercept the whole Dutch commerce. By the prospect of these advantages they were strongly prompted, from motives less just than political, to make war upon the States; and at once to ravish from them by force what they could not obtain, or could obtain but slowly, by superior skill and industry.

The careless unambitious temper of Charles rendered him little capable of forming so vast a project as that of engrossing the commerce and naval power of Europe; yet could he not remain altogether insensible to such obvious and such tempting prospects. His genius, happily turned towards mechanics, had inclined him to study naval affairs, which, of all branches of business, he both loved the most and understood the best. Though the Dutch, during his exile, had expressed towards him more civility and friendship than he had received from any other foreign power; the Louvestein or aristocratic faction, which at this time ruled the commonwealth, had fallen into close union with France; and could that party be subdued, he might hope that his nephew, the young prince of Orange, would be reinstated in the authority possessed by his ancestors, and would bring the States to a dependence under England. His narrow revenues made it still requisite for him to study the humours of his people, which now ran violently towards war; and it has been suspected, though the suspicion was not justified by the event, that the hopes of diverting some of the supplies to his private use were not overlooked by this necessitous monarch.

The duke of York, more active and enterprising, pushed more eagerly the war with Holland. He desired an opportunity of distinguishing himself: he loved to cultivate commerce: he was at the head of a new African company, whose trade was extremely checked by the settlements of the Dutch: and perhaps the religious prejudices, by which that prince was always so much governed, began even so early to instil into him the antipathy against a protestant commonwealth, the bulwark of the reformation. Clarendon and Southampton, observing that the nation was not supported by any foreign alliance, were averse to hostilities; but their credit was now on the decline.

By these concurring motives, the court and parliament were both of them inclined to a Dutch war. The parliament was prorogued without voting supplies (17th May); but as they had been induced, without any open application from the crown, to pass that vote above-mentioned against the Dutch encroachments, it was reasonably considered as sufficient sanction for the vigorous measures which were resolved on.

Downing, the English minister at the Hague, a man of an insolent impetuous temper, presented a memorial to the States, containing a list of those depredations, of which the English complained. It is remarkable, that all the pretended depredations preceded the year 1662, when a treaty of league and alliance had been renewed with the Dutch; and these complaints were then thought either so ill grounded or so frivolous, that they had not been mentioned in the treaty. Two ships alone, the

Bonaventure and the Good-hope, had been claimed by the English; and it was agreed that the claim should be prosecuted by the ordinary course of justice. The States had consigned a sum of money in case the cause should be decided against them; but the matter was still in dependence. Cary, who was intrusted by the proprietors with the management of the law-suit for the Bonaventure, had resolved to accept of thirty thousand pounds, which were offered him; but was hindered by Downing, who told him, that the claim was a matter of state between the two nations, not a concern of private persons.¹ These circumstances give us no favourable idea of the justice of the English pretensions.

Charles confined not himself to memorials and remonstrances. Sir Robert Holmes was secretly dispatched with a squadron of twenty-two ships to the coast of Africa. He not only expelled the Dutch from Cape Corse, to which the English had some pretensions: he likewise seized the Dutch settlements of Cape Verde and the isle of Goree, together with several ships trading on that coast. And having sailed to America, he possessed himself of Nova Belgia, since called New York; a territory which James the first had given by patent to the earl of Sterling, but which had never been planted but by the Hollanders. When the States complained of these hostile measures, the king, unwilling to avow what he could not well justify, pretended to be totally ignorant of Holmes's enterprise. He likewise confined that admiral to the Tower; but some time after released him.

The Dutch, finding that their applications for redress were likely to be eluded, and that a ground of quarrel was industriously sought for by the English, began to arm with diligence. They even exerted, with some precipitation, an act of vigour, which hastened on the rupture. Sir John Lawson and de Ruyter had been sent with combined squadrons into the Mediterranean, in order to chastise the piratical states on the coast of Barbary; and the time of their separation and return was now approaching. The States secretly dispatched orders to de Ruyter, that he should take in provisions at Cadiz; and sailing towards the coast of Guinea, should retaliate on the English, and put the Dutch in possession of those settlements, whence Holmes had expelled them. De Ruyter, having a considerable force on board, met with no opposition in Guinea. All the new acquisitions of the English, except Cape Corse, were recovered from them. They were even dispossessed of some old settlements. Such of their ships as fell into his hands were seized by de Ruyter. That admiral sailed to America. He attacked Barbadoes, but was repulsed. He afterwards committed hostilities in Long Island.

Meanwhile, the English preparations for war

were advancing with vigour and industry. The king had received no supplies from parliament; but by his own funds and credit he was enabled to equip a fleet: the city of London lent him 100,000 pounds: the spirit of the nation seconded his armaments: he himself went from port to port, inspecting with great diligence, and encouraging the work: and in a little time the English navy was put in a formidable condition. Eight hundred thousand pounds are said to have been expended on this armament. When Lawson arrived, and communicated his suspicion of de Ruyter's enterprise, orders were issued for seizing all Dutch ships; and 135 fell into the hands of the English. These were not declared prizes, till afterwards, when war was proclaimed.

A NEW SESSION. Nov. 24.

THE parliament, when it met, granted a supply, the largest by far that had ever been given to a king of England, yet scarcely sufficient for the present undertaking. Near two millions and a half were voted to be levied by quarterly payments in three years. The avidity of the merchants, together with the great prospect of success, had animated the whole nation against the Dutch.

A great alteration was made this session in the method of taxing the clergy. In almost all the other monarchies of Europe, the assemblies, whose consent was formerly requisite to the making of laws, were composed of three estates, the clergy, the nobility, and the commons, which formed so many members of the political body, of which the king was considered as the head. In England too, the parliament was always represented as consisting of three estates; but their separation was never so distinct as in other kingdoms. A convocation, however, had usually sat at the same time with the parliament; though they possessed not a negative voice in the passing of laws, and assumed no other temporal power than that of imposing taxes on the clergy. By reason of ecclesiastical preferments, which he could bestow the king's influence over the church was more considerable than over the laity; so that the subsidies, granted by the convocation, were commonly greater than those which were voted by parliament. The church, therefore, was not displeased to depart tacitly from the right of taxing herself, and allow the commons to lay impositions on ecclesiastical revenues, as on the rest of the kingdom. In recompense, two subsidies, which the convocation had formerly granted, were remitted; and the parochial clergy were allowed to vote at elections. Thus the church of England made a barter of power for profit. Their convocations, having become insignificant to the crown, have been much disused of late years.

The Dutch saw, with the utmost regret, a war approaching, whence they might dread the most fatal consequences, but which afforded no prospect of advantage. They tried every art of negotiation before they would come to extremities. Their measures were at that time directed by John de Wit, a minister equally eminent for greatness of mind, for capacity, and for integrity. Though moderate in his private deportment, he knew how to adopt in his public counsels that magnanimity, which suits the minister of a great state. It was ever his maxim, that no independent government should yield to another any evident point of reason or equity; and that all such concessions, so far from preventing war, served to no other purpose than to provoke fresh claims and insults. By his management a spirit of union was preserved in all the provinces; great sums were levied; and a navy was equipped, composed of larger ships than the Dutch had ever built before, and able to cope with the fleet of England.

1665. As soon as certain intelligence arrived of de Ruyter's enterprises, Charles declared war against the States. (22nd Feb.) His fleet, consisting of 114 sail, besides fire-ships and ketches, was commanded by the duke of York, and under him by prince Rupert and the earl of Sandwich. It had about 22,000 men on board. Obdam, who was admiral of the Dutch navy, of nearly equal force, declined not the combat. In the heat of action, when engaged in close fight with the duke of York, Obdam's ship blew up. This accident much discouraged the Dutch, who fled towards their own coast. Tromp alone, son of the famous admiral killed during the former war, bravely sustained with his squadron the efforts of the English, and protected the rear of his countrymen. The vanquished had nineteen ships sunk and taken (3rd June). The victors lost only one. Sir John Lawson died soon after of his wounds.

It is affirmed, and with an appearance of reason, that this victory might have been rendered more complete, had not orders been issued to slacken sail by Brouncker, one of the duke's bed-chamber, who pretended authority from his master. The duke disclaimed the orders; but Brouncker never was sufficiently punished for his temerity.² It is allowed, however, that the duke behaved with great bravery during the action. He was long in the thickest of the fire. The earl of Falmouth, lord Muskerry, and Mr. Boyle, were killed by one shot at his side, and covered him all over with their brains and gore. And it is not likely, that, in a pursuit, where even persons of inferior station, and of the most cowardly disposition, acquire courage, a commander should feel his spirits to flag, and should turn from the back of an enemy, whose face he had not been afraid to encounter.

This disaster threw the Dutch into consternation, and determined de Wit, who was the soul of their councils, to exert his military capacity, in order to support the declining courage of his countrymen. He went on board the fleet, which he took under his command; and he soon remedied all those disorders which had been occasioned by the late misfortune. The genius of this man was of the most extensive nature. He quickly became as much master of naval affairs, as if he had from his infancy been educated in them; and he even made improvements in some parts of pilotage and sailing, beyond what men expert in those arts had ever been able to attain.

RUPTURE WITH FRANCE.

THE misfortunes of the Dutch determined their allies to act for their assistance and support. The king of France was engaged in a defensive alliance with the States; but as his naval force was yet in its infancy, he was extremely averse, at that time, from entering into a war with so formidable a power as England. He long tried to mediate a peace between the States, and for that purpose sent an embassy to London, which returned without effecting any thing. Lord Hollis, the English ambassador at Paris, endeavoured to draw over Lewis to the side of England; and, in his master's name, made him the most tempting offers. Charles was content to abandon all the Spanish Low Countries to the French, without pretending to a foot of ground for himself; provided Lewis would allow him to pursue his advantages against the Dutch.³ But the French monarch, though the conquest of that valuable territory was the chief object of his ambition, rejected the offer as contrary to his interests: he thought, that if the English had once established an uncontrollable dominion over the sea and over commerce, they would soon be able to render his acquisitions a dear purchase to him. When de Lionne, the French secretary, assured Van Beuningen, ambassador of the States, that this offer had been pressed on his master during six months; "I can readily believe it," replied the Dutchman; "I am sensible that it is the interest of England."⁴

Such were the established maxims at that time with regard to the interests of princes. It must however be allowed, that the policies of Charles, in making this offer, were not a little hazardous. The extreme weakness of Spain would have rendered the French conquests easy and infallible; but the vigour of the Dutch, it might be foreseen, would make the success of the English much more precarious. And even were the naval force of Holland totally annihilated, the acquisition of the Dutch commerce to England could not be

relied on as a certain consequence; nor is trade a constant attendant of power, but depends on many other, and some of them very delicate, circumstances.

Though the king of France was resolved to support the Hollanders in that unequal contest in which they were engaged; yet he protracted his declaration, and employed the time in naval preparations, both in the ocean and the Mediterranean. The king of Denmark meanwhile was resolved not to remain an idle spectator of the contest between the maritime powers. The part which he acted was the most extraordinary: he made a secret agreement with Charles to seize all the Dutch ships in his harbours, and to share the spoils with the English, provided they would assist him in executing this measure. In order to increase his prey, he perfidiously invited the Dutch to take shelter in his ports; and accordingly the East India fleet, very richly laden, had put into Bergen. Sandwich, who now commanded the English navy (the duke having gone ashore), dispatched sir Thomas Tiddiman with a squadron to attack them; but whether from the king of Denmark's delay in sending orders to the governor, or, what is more probable, from his avidity in endeavouring to engross the whole booty, the English admiral, though he behaved with great bravery, failed of his purpose. The Danish governor fired upon him, and the Dutch, having had leisure to fortify themselves, made a gallant resistance (3rd Aug.)

RUPTURE WITH DENMARK.

THE king of Denmark, seemingly ashamed of his conduct, concluded with sir Gilbert Talbot, the English envoy, an offensive alliance against the States; and at the very same time, his resident at the Hague, by his orders, concluded an offensive alliance against England. To this latter alliance he adhered, probably from jealousy of the increasing naval power of England; and he seized and confiscated all the English ships in his harbours. This was a sensible check to the advantages which Charles had obtained over the Dutch. Not only a blow was given to the English commerce; the king of Denmark's naval force was also considerable, and threatened every moment a conjunction with the Hollanders. That prince stipulated to assist his ally with a fleet of thirty sail; and he received in return a yearly subsidy of 1,500,000 crowns, of which 300,000 were paid by France.

The king endeavoured to counterbalance these confederacies by acquiring new friends and allies. He had dispatched sir Richard Fanshawe into Spain, who met with a very cold reception. That monarchy was sunk into a state of weakness, and was menaced with an

invasion from France; yet could not any motive prevail with Philip to enter into cordial friendship with England. Charles's alliance with Portugal, the detention of Jamaica and Tangiers, the sale of Dunkirk to the French; all these offences sunk so deep in the mind of the Spanish monarch, that no motive of interest was sufficient to outweigh them.

The bishop of Munster was the only ally that Charles could acquire. This prelate, a man of restless enterprise and ambition, had entertained a violent animosity against the States; and he was easily engaged, by the promise of subsidies from England, to make an incursion on that republic. With a tumultuary army of near 20,000 men, he invaded her territories, and met with weak resistance. The land-forces of the States were as feeble and ill-governed, as their fleets were gallant and formidable. But after his committing great ravages in several of the provinces, a stop was put to the progress of this warlike prelate. He had not military skill sufficient to improve the advantages which fortune had put into his hands: the king of France sent a body of 6000 men to oppose him: subsidies were not regularly remitted him from England; and many of his troops deserted for want of pay: the elector of Brandenburg threatened him with an invasion in his own state: and on the whole, he was glad to conclude a peace under the mediation of France. On the first surmise of his intentions, sir William Temple was sent from London with money to fix him in his former alliance; but found that he arrived too late.

The Dutch, encouraged by all these favourable circumstances, continued resolute to exert themselves to the utmost in their own defence. De Ruyter, their great admiral, was arrived from his expedition to Guinea: their Indian fleet was come home in safety: their harbours were crowded with merchant ships: faction at home was appeased: the young prince of Orange had put himself under the tuition of the States of Holland, and of de Wit, their pensionary, who executed his trust with honour and fidelity: and the animosity, which the Hollanders entertained against the attack of the English, so unprovoked, as they thought it, made them thirst for revenge, and hope for better success in their next enterprise. Such vigour was exerted in the common cause, that, in order to man the fleet, all merchant ships were prohibited to sail, and even the fisheries were suspended.⁵

The English likewise continued in the same disposition, though another more grievous calamity had joined itself to that of war. The plague had broken out in London; and that with such violence, as to cut off, in a year, near 90,000 inhabitants. The king was obliged to summon the parliament at Oxford (10th October).

FIVE-MILE ACT.

A Good agreement still subsisted between the king and parliament. They, on their part, unanimously voted him the supply demanded, twelve hundred and fifty thousand pounds, to be levied in two years by monthly assessments. And he, to gratify them, passed the five-mile act, which had given occasion to grievous and not unjust complaints. The church, under pretence of guarding monarchy against its inveterate enemies, persevered in the project of wreaking her own enmity against the non-conformists. It was enacted, that no dissenting teacher who took not the non-resistance oath above mentioned, should, except upon the road, come within five miles of any corporation, or of any place, where he had preached after the act of oblivion. The penalty was a fine of fifty pounds, and six months' imprisonment. By ejecting the non-conforming clergy from their churches, and prohibiting all separate congregations, they had been rendered incapable of gaining any livelihood by their spiritual profession. And now, under colour of removing them from places where their influence might be dangerous, an expedient was fallen upon to deprive them of all means of subsistence. Had not the spirit of the nation undergone a change, these violences were preludes to the most furious persecution.

However prevalent the hierarchy, this law did not pass without opposition. Besides several peers, attached to the old parliamentary party, Southampton himself, though Clarendon's great friend, expressed his disapprobation of these measures. But the church party, not discouraged with this opposition, introduced into the house of commons a bill for imposing the oath of non-resistance on the whole nation. It was rejected only by three voices. The parliament, after a short session, was prorogued (31st Oct.)

SEA-FIGHT OF FOUR DAYS.

1666. AFTER France had declared war, England was evidently overmatched in force. Yet she possessed this advantage by her situation, that she lay between the fleets of her enemies, and might be able, by speedy and well-concerted operations, to prevent their junction. But such was the unhappy conduct of her commanders, or such the want of intelligence in her ministers, that this circumstance turned rather to her prejudice. Lewis had given orders to the duke of Beaufort, his admiral, to sail from Toulon; and the French squadron, under his command, consisting of above forty sail,⁶ was now commonly supposed to be entering the channel. The Dutch fleet, to the number of seventy-six sail, was at sea, under the command of de Ruyter

and Tromp, in order to join him. The duke of Albemarle and prince Rupert commanded the English fleet, which exceeded not seventy-four sail. Albemarle, who, from his successes under the protector, had too much learned to despise the enemy, proposed to detach prince Rupert with twenty ships, in order to oppose the duke of Beaufort. Sir George Ayscue, well acquainted with the bravery and conduct of de Ruyter, protested against the temerity of this resolution: but Albemarle's authority prevailed. The remainder of the English set sail to give battle to the Dutch; who, seeing the enemy advance quickly upon them, cut their cables, and prepared for the combat. The battle that ensued is one of the most memorable that we read of in story; whether we consider its long duration, or the desperate courage with which it was fought. Albemarle made here some atonement by his valour for the rashness of the attempt. No youth, animated by glory and ambitious hopes, could exert himself more than did this man, who was now in the decline of life, and who had reached the summit of honours. We shall not enter minutely into particulars. It will be sufficient to mention the chief events of each day's engagement.

In the first day (June 1), sir Wm. Berkeley, vice-admiral, leading the van, fell into the thickest of the enemy, was overpowered, and his ship taken. He himself was found dead in his cabin, all covered with blood. The English had the weather-gage of the enemy; but as the wind blew so hard, that they could not use their lower tier, they derived but small advantage from this circumstance. The Dutch, however, fell chiefly on their sails and rigging; and few ships were sunk or much damaged. Chain-shot was at that time a new invention; commonly attributed to de Wit. Sir John Harman exerted himself extremely on this day. The Dutch admiral, Evertz, was killed in engaging him. Darkness parted the combatants.

The second day, the wind was somewhat fallen, and the combat became more steady and more terrible. The English now found, that the greatest valour cannot compensate the superiority of numbers, against an enemy who is well conducted, and who is not defective in courage. De Ruyter and Van Tromp, rivals in glory and enemies from faction, exerted themselves in emulation of each other; and de Ruyter had the advantage of disengaging and saving his antagonist, who had been surrounded by the English, and was in the most imminent danger. Sixteen fresh ships joined the Dutch fleet during the action; and the English were so shattered, that their fighting ships were reduced to twenty-eight, and they found themselves obliged to retreat towards their own coast. The Dutch followed them,

and were on the point of renewing the combat, when a calm, which came a little before night, prevented the engagement.

Next morning, the English were obliged to continue their retreat; and a proper disposition was made for that purpose. The shattered ships were ordered to stretch a-head; and sixteen of the most entire followed them in good order, and kept the enemy in awe. Albemarle himself closed the rear, and presented an undaunted countenance to his victorious foes. The earl of Ossory, son of Ormond, a gallant youth, who sought honour and experience in every action throughout Europe, was then on board the admiral. Albemarle confessed to him his intention rather to blow up his ship and perish gloriously, than yield to the enemy. Ossory applauded this desperate resolution.

About two o'clock, the Dutch had come up with their enemy, and were ready to renew the fight; when a new fleet was descried from the south, crowding all their sail to reach the scene of action. The Dutch flattered themselves that Beaufort was arrived, to cut off the retreat of the vanquished: the English hoped that prince Rupert had come, to turn the scale of action. Albemarle, who had received intelligence of the prince's approach, bent his course towards him. Unhappily, sir George Ayscue, in a ship of a hundred guns, the largest in the fleet, struck on the Galloper sands, and could receive no assistance from his friends, who were hastening to join the reinforcement. He could not even reap the consolation of perishing with honour, and revenging his death on his enemies. They were preparing fireships to attack him, and he was obliged to strike. The English sailors, seeing the necessity, with the utmost indignation surrendered themselves prisoners.

Albemarle and prince Rupert were now determined to face the enemy; and next morning the battle began afresh, with more equal force than ever, and with equal valour. After long cannonading, the fleets came to a close combat; which was continued with great violence, till parted by a mist. The English retired first into their harbours.

Though the English, by their obstinate courage, reaped the chief honour in this engagement, it is somewhat uncertain who obtained the victory. The Hollanders took a few ships, and having some appearances of advantage, expressed their satisfaction by all the signs of triumph and rejoicing. But as the English fleet was repaired in a little time, and put to sea more formidable than ever, together with many of those ships which the Dutch had boasted to have burned or destroyed; all Europe saw, that those two brave nations were engaged in a contest, which was not likely, on either side, to prove decisive.

VICTORY OF THE ENGLISH. *July 25.*

It was the conjunction alone of the French, that could give a decisive superiority to the Dutch. In order to facilitate this conjunction, de Ruyter, having repaired his fleet, posted himself at the mouth of the Thames. The English, under prince Rupert and Albemarle, were not long in coming to the attack. The numbers of each fleet amounted to about eighty sail; and the valour and experience of the commanders, as well as of the seamen, rendered the engagement fierce and obstinate. Sir Thomas Allen, who commanded the white squadron of the English, attacked the Dutch van, which he entirely routed; and he killed the three admirals who commanded it. Van Tromp engaged sir Jeremy Smith; and during the heat of action, he was separated from de Ruyter and the main body, whether by accident or design was never certainly known. De Ruyter, with conduct and valour, maintained the combat against the main body of the English; and though overpowered by numbers, kept his station, till night ended the engagement. Next day, finding the Dutch fleet scattered and discouraged, his high spirit submitted to a retreat, which yet he conducted with such skill, as to render it equally honourable to himself as the greatest victory. Full of indignation, however, at yielding the superiority to the enemy, he frequently exclaimed, "My God! what a wretch am I? among so many thousand bullets, is there not one to put an end to my miserable life?" One de Witte, his son-in-law, who stood near, exhorted him, since he sought death, to turn upon the English, and render his life a dear purchase to the victors. But de Ruyter esteemed it more worthy a brave man to persevere to the uttermost, and, as long as possible, to render service to his country. All that night and next day, the English pressed upon the rear of the Dutch; and it was chiefly by the redoubled efforts of de Ruyter, that the latter saved themselves in their harbours.

The loss sustained by the Hollanders in this action was not very considerable; but as violent animosities had broken out between the two admirals, who engaged all the officers on one side or other, the consternation, which took place, was great among the provinces. Tromp's commission was at last taken from him; but though several captains had misbehaved, they were so effectually protected by their friends in the magistracy of the towns, that most of them escaped punishment, many were still continued in their commands.

The English now rode incontestable masters of the sea, and insulted the Dutch in their harbours. A detachment under Holmes was sent into the road of Vlie, and burned a hundred and forty merchantmen, two men of

war, together with Brandaris, a large and rich village on the coast. The Dutch merchants, who lost by this enterprise, uniting themselves to the Orange faction, exclaimed against an administration, which, they pretended, had brought such disgrace and ruin on their country. None but the firm and intrepid mind of de Wit could have supported itself under such a complication of calamities.

The king of France, apprehensive that the Dutch would sink under their misfortunes; at least, that de Wit, his friend, might be dispossessed of the administration, hastened the advance of the duke of Beaufort. The Dutch fleet likewise was again equipped; and, under the command of de Ruyter, cruised near the straits of Dover. Prince Rupert with the English navy, now stronger than ever, came full sail upon them. The Dutch admiral thought proper to decline the combat, and retired into St. John's road near Bulloigne. Here he sheltered himself, both from the English, and from a furious storm which arose. Prince Rupert too was obliged to retire into St. Helens; where he stayed some time, in order to repair the damages which he had sustained. Meanwhile the duke of Beaufort proceeded up the channel, and passed the English fleet unperceived; but he did not find the Dutch, as he expected. De Ruyter had been seized with a fever: many of the chief officers had fallen into sickness: a contagious distemper was spread through the fleet: and the States thought it necessary to recall them into their harbours, before the enemy could be refitted. The French king, anxious for his navy, which, with so much care and industry, he had lately built, dispatched orders to Beaufort, to make the best of his way to Brest. That admiral had again the good fortune to pass the English. One ship alone, the Ruby, fell into the hands of the enemy.

FIRE OF LONDON. *Sept. 3.*

WHILE the war continued without any decisive success on either side, a calamity happened in London, which threw the people into great consternation. Fire, breaking out in a baker's house near the bridge, spread itself on all sides with such rapidity, that no efforts could extinguish it, till it laid in ashes a considerable part of the city. The inhabitants, without being able to provide effectually for their relief, were reduced to be spectators of their own ruin; and were pursued from street to street by the flames, which unexpectedly gathered round them. Three days and nights did the fire advance; and it was only by the blowing up of houses, that it was at last extinguished. The king and duke used their utmost endeavours to stop the progress of the flames; but all their industry was unsuccessful. About

four hundred streets, and thirteen thousand houses, were reduced to ashes.

The causes of this calamity were evident. The narrow streets of London, the houses built entirely of wood, the dry season, and a violent east-wind which blew; these were so many concurring circumstances, which rendered it easy to assign the reason of the destruction that ensued. But the people were not satisfied with this obvious account. Prompted by blind rage, some ascribed the guilt to the republicans, others to the catholics; though it is not easy to conceive how the burning of London could serve the purposes of either party. As the papists were the chief objects of public detestation, the rumour, which threw the guilt on them, was more favourably received by the people. No proof however, or even presumption, after the strictest inquiry by a committee of parliament, ever appeared to authorize such a calumny; yet, in order to give countenance to the popular prejudice, the inscription engraved by authority on the monument, ascribed this calamity to that hated sect. This clause was erased by order of king James, when he came to the throne; but after the revolution it was replaced. So credulous, as well as obstinate, are the people, in believing every thing which flatters their prevailing passion!

The fire of London, though at that time a great calamity, has proved in the issue beneficial both to the city and the kingdom. The city was rebuilt in a very little time; and care was taken to make the streets wider and more regular than before. A discretionary power was assumed by the king to regulate the distribution of the buildings, and to forbid the use of lath and timber, the materials of which the houses were formerly composed. The necessity was so urgent, and the occasion so extraordinary, that no exceptions were taken at an exercise of authority, which otherwise might have been deemed illegal. Had the king been enabled to carry his power still farther, and made the houses be rebuilt with perfect regularity, and entirely upon one plan; he had much contributed to the convenience, as well as embellishment, of the city. Great advantages, however, have resulted from the alterations, though not carried to the full length. London became much more healthy after the fire. The plague, which used to break out with great fury twice or thrice every century, and indeed was always lurking in some corner or other of the city, has scarcely ever appeared since that calamity.

The parliament met soon after, and gave the sanction of law to those regulations made by royal authority; as well as appointed commissioners for deciding all such questions of property, as might arise from the fire. They likewise voted a supply of 1,800,000 pounds to be levied, partly by a poll-bill, partly by assess-

ments. Though their inquiry brought out no proofs, which could fix on the papists the burning of London, the general aversion against that sect prevailed; and complaints were made, probably without much foundation, of its dangerous increase. Charles, at the desire of the commons, issued a proclamation for the banishment of all priests and jesuits; but the bad execution of this, as well as the former edicts, destroyed all confidence in his sincerity, whenever he pretended an aversion towards the catholic religion. Whether suspicions of this nature had diminished the king's popularity, is uncertain; but it appears, that the supply was voted much later than Charles expected, or even than the public necessities seemed to require. The intrigues of the duke of Buckingham, a man who wanted only steadiness to render him extremely dangerous, had somewhat embarrassed the measures of the court; and this was the first time that the king found any considerable reason to complain of a failure of confidence in this house of commons. The rising symptoms of ill-humour tended, no doubt, to quicken the steps which were already making towards a peace with foreign enemies.

ADVANCES TOWARDS PEACE. 1667.

CHARLES began to be sensible, that all the ends, for which the war had been undertaken were likely to prove entirely abortive. The Dutch, even when single, had defended themselves with vigour, and were every day improving in their military skill and preparations. Though their trade had suffered extremely their extensive credit enabled them to levy great sums; and while the seamen of England loudly complained of want of pay, the Dutch navy was regularly supplied with money and every thing requisite for its subsistence. As two powerful kings now supported them, every place, from the extremity of Norway to the coasts of Bayonne, was become hostile to the English. And Charles, neither fond of action, nor stimulated by any violent ambition, earnestly sought for means of restoring tranquillity to his people, disgusted with a war, which, being joined with the plague and fire, had proved so fruitless and destructive.

The first advances towards an accommodation were made by England. When the king sent for the body of sir William Berkeley, he insinuated to the States his desire of peace on reasonable terms: and their answer corresponded in the same amicable intentions. Charles, however, to maintain the appearance of superiority, still insisted that the States should treat at London; and they agreed to make him this compliment so far as concerned themselves: but being engaged in alliance with two crowned heads, they could not, they

said, prevail with these to depart in that respect from their dignity. On a sudden, the king went so far on the other side as to offer the sending of ambassadors to the Hague; but this proposal, which seemed honourable to the Dutch, was meant only to divide and distract them, by affording the English an opportunity to carry on cabals with the disaffected party. The offer was therefore rejected; and conferences were secretly held in the queen-mother's apartments at Paris, where the pretensions of both parties were discussed. The Dutch made equitable proposals; either that all things should be restored to the same condition in which they stood before the war; or that both parties should continue in possession of their present acquisitions. Charles accepted of the latter proposal; and almost every thing was adjusted, except the disputes with regard to the isle of Polorone. This island lies in the East Indies, and was formerly valuable for its produce of spices. The English had been masters of it; but were dispossessed at the time when the violence was committed against them at Amboyna. Cromwel had stipulated to have it restored; and the Hollanders, having first entirely destroyed all the spice trees, maintained, that they had executed the treaty, but that the English had been anew expelled during the course of the war. Charles renewed his pretensions to this island; and as the reasons on both sides began to multiply, and seemed to require a long discussion, it was agreed to transfer the treaty to some other place; and Charles made choice of Breda.

Lord Hollis and Henry Coventry were the English ambassadors. They immediately desired, that a suspension of arms should be agreed to, till the several claims should be adjusted: but this proposal, seemingly so natural, was rejected by the credit of de Wit. That penetrating and active minister, thoroughly acquainted with the characters of princes and the situation of affairs, had discovered an opportunity of striking a blow, which might at once restore to the Dutch the honour lost during the war, and severely revenge those injuries, which he ascribed to the wanton ambition and injustice of the English.

Whatever projects might have been formed by Charles for secreting the money granted him by parliament, he had hitherto failed in his intention. The expenses of such vast armaments had exhausted all the supplies;⁷ and even a great debt was contracted to the seamen. The king therefore was resolved to save, as far as possible, the last supply of 1,800,000 pounds; and to employ it for payment of his debts, as well those which had been occasioned by the war, as those which he had formerly contracted. He observed, that the Dutch had been with great reluctance forced into the war, and that the events of it were not such as to inspire them

with great desire of its continuance. The French, he knew, had been engaged into hostilities by no other motive than that of supporting their ally; and were now more desirous than ever of putting an end to the quarrel. The differences between the parties were so inconsiderable, that the conclusion of peace appeared infallible; and nothing but forms, at least some vain points of honour, seemed to remain for the ambassadors at Breda to discuss. In this situation, Charles, moved by an ill-timed frugality, remitted his preparations, and exposed England to one of the greatest affronts which it has ever received. Two small squadrons alone were equipped; and during a war with such potent and martial enemies, every thing was left almost in the same situation as in times of the most profound tranquillity.

DISGRACE AT CHATHAM. *June 10.*

DE WIT protracted the negotiations at Breda, and hastened the naval preparations. The Dutch fleet appeared in the Thames under the command of de Ruyter, and threw the English into the utmost consternation. A chain had been drawn across the river Medway; some fortifications had been added to Sheerness and Upnore-castle: but all these preparations were unequal to the present necessity. Sheerness was soon taken; nor could it be saved by the valour of sir Edward Sprague, who defended it. Having the advantage of a spring tide and an easterly wind, the Dutch pressed on and broke the chain, though fortified by some ships, which had been there sunk by orders of the duke of Albemarle. They burned the three ships which lay to guard the entrance, the *Matthias*, the *Unity*, and the *Charles* the Fifth. After damaging several vessels, and possessing themselves of the hull of the *Royal Charles*, which the English had burned, they advanced with six men of war and five fire-ships, as far as Upnore-castle, where they burned the *Royal Oak*, the *Loyal London*, and the *Great James*. Captain Douglas, who commanded on board the *Royal Oak*, perished in the flames, though he had an easy opportunity of escaping. "Never was it known," he said, "that a Douglas had left his post without orders."⁸ The Hollanders fell down the Medway without receiving any considerable damage; and it was apprehended, that they might next tide sail up the Thames, and extend their hostilities even to the bridge of London. Nine ships were sunk at Woolwich, four at Blackwall: platforms were raised in many places, furnished with artillery the train-bands were called out; and every place was in a violent agitation. The Dutch sailed next to Portsmouth, where they made a fruitless attempt: they met with no better success at Plymouth: they insulted Harwich: they sailed again upon the Thames

as far as Tilbury, where they were repulsed. The whole coast was in alarm: and had the French thought proper at this time to join the Dutch fleet and to invade England, consequences the most fatal might justly have been apprehended. But Lewis had no intention to push the victory to such extremities. His interest required that a balance should be kept between the two maritime powers; not that an uncontrolled superiority should be given to either.

Great indignation prevailed amongst the English, to see an enemy, whom they regarded as inferior, whom they had expected totally to subdue, and over whom they had gained many honourable advantages, now of a sudden ride undisputed masters of the ocean; burn their ships in their very harbours, fill every place with confusion, and strike a terror into the capital itself. But though the cause of all these disasters could be ascribed neither to bad fortune, to the misconduct of admirals, nor to the ill behaviour of seamen, but solely to the avarice, at least to the improvidence, of the government; no dangerous symptoms of discontent appeared, and no attempt for an insurrection was made by any of those numerous sectaries, who had been so openly branded for their rebellious principles, and who upon that supposition had been treated with such severity.⁹

In the present distress, two expedients were embraced: an army of 12,000 men was suddenly levied; and the parliament, though it lay under prorogation, was summoned to meet. The houses were very thin: and the only vote which the commons passed was an address for ~~breeding the~~ army; which was complied with. This expression of jealousy showed the court what they might expect from that assembly; and it was thought more prudent to prorogue them till next winter.

• PEACE OF BREDA. *July 10.*

BUT the signing of the treaty at Breda extricated the king from his present difficulties. The English ambassadors received orders to recede from those demands, which, however frivolous in themselves, could not now be relinquished, without acknowledging a superiority in the enemy. Polorone remained with the Dutch; satisfaction for the ships Bonaventure and Good-hope, the pretended grounds of the quarrel, was no longer insisted on; Acadie was yielded to the French. The acquisition of New-York, a settlement so important by its situation, was the chief advantage which the English reaped from a war, in which the national character of bravery had shone out with lustre, but where the misconduct of the government, especially in the conclusion, had been no less apparent.

CLARENDON'S FALL.

TO appease the people by some sacrifice seemed requisite before the meeting of parliament; and the prejudices of the nation pointed out the victim. The chancellor was at this time much exposed to the hatred of the public, and of every party which divided the nation. All the numerous sectaries regarded him as their determined enemy; and ascribed to his advice and influence those persecuting laws to which they had lately been exposed. The catholics knew, that while he retained any authority, all their credit with the king and the duke would be entirely useless to them, nor must they ever expect any favour or indulgence. Even the royalists, disappointed in their sanguine hopes of preferment, threw a great load of envy on Clarendon, into whose hands the king seemed at first to have resigned the whole power of government. The sale of Dunkirk, the bad payment of the seamen, the disgrace at Chatham, the unsuccessful conclusion of the war; all these misfortunes were charged on the chancellor, who, though he had ever opposed the rupture with Holland, thought it still his duty to justify what he could not prevent. A building, likewise, of more expence and magnificence than his slender fortune could afford, being unwarily undertaken by him, much exposed him to public reproach, as if he had acquired great riches by corruption. The populace gave it commonly the appellation of Dunkirk House.

The king himself, who had always more revered than loved the chancellor, was now totally estranged from him. Amidst the dissolute manners of the court, that minister still maintained an inflexible dignity, and would not submit to any condescensions, which he deemed unworthy of his age and character. Buckingham, a man of profligate morals, happy in his talent for ridicule, but exposed in his own conduct to all the ridicule which he threw on others, still made him the object of his raillery, and gradually lessened in the king that regard which he bore to his minister. When any difficulties arose either for want of power or money, the blame was still thrown on him, who, it was believed, had carefully at the restoration checked all lavish concessions to the king. And what perhaps touched Charles more nearly, he found in Clarendon, it is said, obstacles to his pleasures, as well as to his ambition.

The king, disgusted with the homely person of his consort, and desirous of having children, had hearkened to proposals of obtaining a divorce, on pretence either of her being engaged to another, or of having made a vow of chastity before her marriage. He was farther stimulated by his passion for Mrs. Stuart, daughter of a Scotch gentleman; a lady of great beauty, and whose virtue he had hitherto found im-

pregnable but Clarendon, apprehensive of the consequences attending a disputed title, and perhaps anxious for the succession of his own grandchildren, engaged the duke of Richmond to marry Mrs. Stuart, and thereby put an end to the king's hopes. It is pretended that Charles never forgave this disappointment.

When politics, therefore, and inclination both concurred to make the king sacrifice Clarendon to popular prejudices, the memory of his past services was not able any longer to delay his fall. The great seal was taken from him, and given to sir Orlando Bridgeman, by the title of Lord Keeper. Southampton, the treasurer, was now dead, who had persevered to the utmost in his attachments to the chancellor. The last time he appeared at the council-table, he exerted his friendship with a vigour which neither age nor infirmities could abate. "This man," said he, speaking of Clarendon, "is a true protestant and an honest Englishman; and while he enjoys power, we are secure of our laws, liberties, and religion. I dread the consequences of his removal."

But the fall of the chancellor was not sufficient to gratify the malice of his enemies: his total ruin was resolved on. The Duke of York in vain exerted his interest in behalf of his father-in-law. Both prince and people united in promoting that violent measure; and no means were thought so proper for ingratiating the court with a parliament, which had so long been governed by that very minister, who was now to be the victim of their prejudices.

Some popular acts paved the way for the session; and the parliament, in their first address, gave the king thanks for these instances of his goodness, and among the rest, they took care to mention his dismissal of Clarendon. The king, in reply, assured the houses, that he would never again employ that nobleman in any public office whatsoever. Immediately, the charge against him was opened in the house of commons by Mr. Seymour, afterwards sir Edward, and consisted of seventeen articles. The house, without examining particulars, rather than hearing general affirmations that all would be proved, immediately voted his impeachment. Many of the articles [*See note (V) at the end of this Vol.*] we know to be either false or frivolous; and such of them as we are less acquainted with, we may fairly presume to be no better grounded. His advising the sale of Dunkirk seems the heaviest and truest part of the charge; but a mistake in judgment, allowing it to be such, where there appear no symptoms of corruption or bad intentions, it would be very hard to impute as a crime to any minister. The king's necessities, which occasioned that measure, cannot, with any appearance of reason, be charged on Clarendon; and chiefly proceeded from the over-frugal maxims of the parliament

itself, in not granting the proper supplies to the crown.

When the impeachment was carried up to the peers, as it contained an accusation of reason in general, without specifying any particulars, it seemed not a sufficient ground for committing Clarendon to custody. The precedents of Strafford and Laud were not, by reason of the violence of the times, deemed a proper authority; but as the commons still insisted upon his commitment, it was necessary to appoint a free conference between the houses. The lords persevered in their resolution; and the commons voted this conduct to be an obstruction to public justice, and a precedent of evil and dangerous tendency. They also chose a committee to draw up a vindication of their own proceedings.

Clarendon, finding that the popular torrent, united to the violence of power, ran with impetuosity against him, and that a defence offered to such prejudiced ears, would be entirely ineffectual, thought proper to withdraw. At Calais he wrote a paper addressed to the house of lords. He there said, that his fortune, which was but moderate, had been gained entirely by the lawful, avowed profits of his office, and by the voluntary bounty of the king; that during the first years after the restoration he had always concurred in opinion with the other counsellors, men of such reputation that no one could entertain suspicions of their wisdom or integrity; that his credit soon declined, and however he might disapprove of some measures, he found it vain to oppose them; that his repugnance to the Dutch war, the source of all the public grievances, was always generally known, as well as his disapprobation of many unhappy steps taken in conducting it; and that whatever pretence might be made of public offences, his real crime, that which had exasperated his powerful enemies, was his frequent opposition to exorbitant grants, which the importunity of suitors had extorted from his majesty.

CLARENDON'S BANISHMENT.

THE lords transmitted this paper to the commons, under the appellation of a libel: and by a vote of both houses, it was condemned to be burned by the hands of the hangman. The parliament next proceeded to exert their legislative power against Clarendon, and passed a bill of banishment and incapacity, which received the royal assent. He retired into France, where he lived in a private manner. He survived his banishment six years; and he employed his leisure chiefly in reducing into order the History of the Civil Wars, for which he had before collected materials. The performance does honour to his memory; and, except Whitlocke's Memorials, is the most

candid account of those times, composed by any cotemporary author.

Clarendon was always a friend to the liberty and constitution of his country. At the commencement of the civil wars, he had entered into the late king's service, and was honoured with a great share in the esteem and friendship of that monarch: he was pursued with unrelenting animosity by the long parliament: he had shared all the fortunes, and directed all the counsels, of the present king during his exile: he had been advanced to the highest trust and offices after the restoration: yet all these circumstances, which might naturally operate with such force either on resentment, gratitude, or ambition, had no influence on his uncorrupted mind. It is said, that when he first engaged in the study of the law, his father exhorted him with great earnestness to shun the practice too common in that profession, of straining every point in favour of prerogative, and perverting so useful a science to the oppression of liberty: and in the midst of these rational and virtuous counsels, which he reiterated, he was suddenly seized with an apoplexy, and expired in his son's presence. This circumstance gave additional weight to the principles which he inculcated.

The combination of king and subject to oppress so good a minister affords, to men of opposite dispositions, an equal occasion of inveighing against the ingratitude of princes, or ignorance of the people. Charles seems never to have mitigated his resentment against Clarendon; and the national prejudices pursued him to his retreat in France. A company of English soldiers, being quartered near him, assaulted his house, broke open the doors, gave him a dangerous wound on the head, and would have proceeded to the last extremities, had not their officers, hearing of the violence, happily interposed.

1664. The next expedient which the king embraced, in order to acquire popularity, is more deserving of praise; and, had it been steadily pursued, would probably have rendered his reign happy, certainly his memory respected. It is the Triple Alliance of which I speak; a measure which gave entire satisfaction to the public.

STATE OF FRANCE.

THE glory of France, which had long been eclipsed, either by domestic factions, or by the superior force of the Spanish monarchy, began now to break out with great lustre and to engage the attention of the neighbouring nations. The independent power and mutinous spirit of the nobility were subdued: the popular pretensions of the parliament restrained: the Hugonot party reduced to subjection: that extensive and fertile country, enjoying every

advantage both of climate and situation, was fully peopled with ingenious and industrious inhabitants: and while the spirit of the nation discovered all the vigour and bravery requisite for great enterprise, it was tamed to an entire submission under the will of the sovereign.

CHARACTER OF LEWIS XIV.

THE sovereign who now filled the throne was well adapted, by his personal character, both to increase and to avail himself, of these advantages. Lewis XIV. endowed with every quality which could enchant the people, possessed many which merit the approbation of the wise. The masculine beauty of his person was embellished with a noble air: the dignity of his behaviour was tempered with affability and politeness: elegant without effeminacy, addicted to pleasure without neglecting business, decent in his very vices, and beloved in the midst of arbitrary power, he surpassed all cotemporary monarchs, as in grandeur, so likewise in fame and glory.

His ambition, regulated by prudence, not by justice, had carefully provided every means of conquest; and before he put himself in motion, he seemed to have absolutely ensured success. His finances were brought into order: a naval power created: his armies increased and disciplined: magazines and military stores provided: and though the magnificence of his court was supported beyond all former example, so regular was the economy observed, and so willingly did the people, now enriched by arts and commerce, submit to multiplied taxes, that his military force much exceeded what in any preceding age had ever been employed by any European monarch.

The sudden decline and almost total fall of the Spanish monarchy opened an inviting field to so enterprising a prince, and seemed to promise him easy and extensive conquests. The other nations of Europe, feeble or ill governed, were astonished at the greatness of his rising empire: and all of them cast their eyes towards England, as the only power which could save them from that subjection with which they seemed to be so nearly threatened.

The animosity which had anciently subsisted between the English and French nations, and which had been suspended for above a century by the jealousy of Spanish greatness, began to revive and to exert itself. The glory of preserving the balance of Europe, a glory so much founded on justice and humanity, flattered the ambition of England; and the people were eager to provide for their own future security, by opposing the progress of so hated a rival. The prospect of embracing such measures had contributed, among other reasons, to render the peace of Breda so universally acceptable to the nation. By the death of Philip IV. king

of Spain, an inviting opportunity, and some very slender pretences, had been afforded to call forth the ambition of Lewis.

At the treaty of the Pyrenees, when Lewis espoused the Spanish princess, he had renounced every title of succession to every part of the Spanish monarchy; and this renunciation had been couched in the most accurate and most precise terms that language could afford. But on the death of his father-in-law, he retracted his renunciation, and pretended that natural rights, depending on blood and succession, could not be annihilated by any extorted deed or contract. Philip had left a son, Charles II. of Spain; but as the queen of France was of a former marriage, she laid claim to a considerable province of the Spanish monarchy, even to the exclusion of her brother. By the customs of some parts of Brabant, a female of a first marriage was preferred to a male of a second, in the succession to private inheritances; and Lewis thence inferred, that his queen had acquired a right to the dominion of that important dutchy

FRENCH INVASION OF THE LOW COUNTRIES.

A CLAIM of this nature was more properly supported by military force, than by argument and reasoning. Lewis appeared on the frontiers of the Netherlands with an army of 40,000 men, commanded by the best generals of the age, and provided with every thing necessary for action. The Spaniards, though they might have foreseen this measure, were totally unprepared. Their towns, without magazines, fortifications, or garrisons, fell into the hands of the French king, as soon as he presented himself before them. Athes, Lisle, Tournay, Oudenarde, Courtray, Charleroi, Binche, were immediately taken and it was visible that no force in the Low Countries was able to stop or retard the progress of the French arms.

This measure, executed with such celerity and success, gave great alarm to almost every court in Europe. It had been observed with what dignity, or even haughtiness, Lewis, from the time he began to govern, had ever supported all his rights and pretensions. D'Estrades, the French ambassador, and Watteville the Spanish, having quarrelled in London, on account of their claims for precedence, the French monarch was not satisfied till Spain sent to Paris a solemn embassy, and promised never more to revive such contests. Cregui, his ambassador at Rome, had met with an affront from the pope's guards: the pope, Alexander VII. had been constrained to break his guards, to send his nephew to ask pardon, and to allow a pillar to be erected in Rome itself, as a monument of his own humiliation. The king of England too had experienced the

high spirit and unsubmitting temper of Lewis. A pretension to superiority in the English flag having been advanced, the French monarch remonstrated with such vigour, and prepared himself to resist with such courage, that Charles found it more prudent to desist from his vain and antiquated claims. The king of England, said Lewis to his ambassador D'Estrades, may know my force, but he knows not the sentiments of my heart every thing appears to me contemptible in comparison of glory.¹⁰ These measures of conduct had given strong indications of his character: but the invasion of Flanders discovered an ambition which, being supported by such overgrown power, menaced the general liberties of Europe.

As no state lay nearer the danger, none was seized with more terror than the United Provinces. They were still engaged, together with France, in a war against England; and Lewis had promised them that he would take no step against Spain without previously informing them: but, contrary to this assurance, he kept a total silence, till on the very point of entering upon action. If the renunciation made at the treaty of the Pyrenees was not valid, it was foreseen, that upon the death of the king of Spain, a sickly infant, the whole monarchy would be claimed by Lewis, after which it would be vainly expected to set bounds to his pretensions. Charles, acquainted with these well grounded apprehensions of the Dutch, had been the more obstinate in insisting on his own conditions at Breda; and by delaying to sign the treaty, had imprudently exposed himself to the signal disgrace which he received at Chatham. De Wit, sensible that a few weeks' delay would be of no consequence in the Low Countries, took this opportunity of striking an important blow, and of finishing the war with honour to himself and to his country.

NEGOTIATIONS.

NEGOTIATIONS meanwhile commenced for the saving of Flanders; but no resistance was made to the French arms. The Spanish ministers exclaimed every where against the flagrant injustice of Lewis's pretensions, and represented it to be the interest of every power in Europe, even more than of Spain itself, to prevent his conquest of the Low Countries. The emperor and the German princes discovered evident symptoms of discontent; but their motions were slow and backward. The States, though terrified at the prospect of having their frontier exposed to so formidable a foe, saw no resource, no means of safety. England indeed seemed disposed to make opposition to the French; but the variable and impolitic conduct of Charles kept that republic from making him any open advances, by which

she might lose the friendship of France, without acquiring any new ally. And though Lewis, dreading a combination of all Europe, had offered terms of accommodation, the Dutch apprehended lest these, either from the obstinacy of the Spaniards, or the ambition of the French, should never be carried into execution.

Charles resolved with great prudence to take the first step towards a confederacy. Sir William Temple, his resident at Brussels, received orders to go secretly to the Hague, and to concert with the States the means of saving the Netherlands. This man, whom philosophy had taught to despise the world, without rendering him unfit for it, was frank, open, sincere, superior to the little tricks of vulgar politicians: and meeting in de Wit with a man of the same generous and enlarged sentiments, he immediately opened his master's intentions, and pressed a speedy conclusion. A treaty was from the first negotiated between these two statesmen with the same cordiality as if it were a private transaction between intimate companions. Deeming the interests of their country the same, they gave full scope to that sympathy of character which disposed them to an entire reliance on each other's professions and engagements. And though jealousy against the house of Orange might inspire de Wit with an aversion to a strict union with England, he generously resolved to sacrifice all private considerations to the public service.

Temple insisted on an offensive league between England and Holland, in order to oblige France to relinquish all her conquests: but de Wit told him, that this measure was too bold and precipitate to be agreed to by the States. He said, that the French were the old and constant allies of the republic; and, till matters came to extremities, she never would deem it prudent to abandon a friendship so well established, and rely entirely on a treaty with England, which had lately waged so cruel a war against her: that ever since the reign of Elizabeth, there had been such a fluctuation in the English councils, that it was not possible, for two years together, to take any sure or certain measures with that kingdom: that though the present ministry, having entered into views so conformable to national interest, promised greater firmness and constancy, it might still be unsafe, in a business of such consequence, to put entire confidence in them: that the French monarch was young, haughty, and powerful; and if treated in so imperious a manner, would expose himself to the greatest extremities rather than submit: that it was sufficient, if he could be constrained to adhere to the offers which he himself had already made; and if the remaining provinces of the Low Countries could be thereby saved from the danger, with which they were at present threatened: and that the other powers,

in Germany and the north, whose assistance they might expect, would be satisfied with putting a stop to the French conquests, without pretending to recover the places already lost.

The English minister was content to accept of the terms proposed by the prussianary. Lewis had offered to relinquish all the queen's rights, on condition either of keeping the conquests which he had made last campaign, or of receiving, in lieu of them, Franche-comté, together with Cambray, Aire, and St. Omers. De Wit and Temple founded their treaty upon this proposal. They agreed to offer their mediation to the contending powers, and oblige France to adhere to this alternative, and Spain to accept of it. If Spain refused, they agreed, that France should not prosecute her claim by arms, but leave it entirely to England and Holland to employ force for making the terms effectual. And the remainder of the Low Countries they thenceforth guaranteed to Spain. A defensive alliance was likewise concluded between Holland and England.

The articles of this confederacy were soon adjusted by such candid and able negotiators: but the greatest difficulty still remained. By the constitution of the republic, all the towns in all the provinces must give their consent to every alliance; and besides that this formality could not be dispatched in less than two months, it was justly to be dreaded, that the influence of France would obstruct the passing of the treaty in some of the smaller cities. D'Estrades, the French ambassador, a man of abilities, hearing of the league which was on the carpet, treated it lightly; "Six weeks hence," said he, "we shall speak to it." To obviate this difficulty, de Wit had the courage, for the public good, to break through the laws in so fundamental an article; and by his authority, he prevailed with the States General at once to sign and ratify the league (13th Jan.): though they acknowledged that, if that measure should displease their constituents, they risked their heads by this irregularity. After sealing, all parties embraced with great cordiality. Temple cried out, *At Breda, as friends, here as brothers*. And de Wit added, that now the matter was finished, it looked like a miracle.

TRIPLE LEAGUE.

Room had been left in the treaty for the accession of Sweden, which was soon after obtained; and thus was concluded in five days their triple league; an event received with equal surprise and approbation by the world. Notwithstanding the unfortunate conclusion of the last war, England now appeared in her proper station, and, by this wise conduct, had recovered all her influence and credit in

Europe. Temple likewise received great applause; but to all the compliments made him on the occasion, he modestly replied, that to remove things from their center, or proper element, required force and labour; but that of themselves they easily returned to it.

The French monarch was extremely displeased with this measure. Not only bounds were at present set to his ambition: such a barrier was also raised as seemed for ever insurmountable. And though his own offer was made the foundation of the treaty, he had prescribed so short a time for the acceptance of it that he still expected, from the delays and reluctance of Spain, to find some opportunity of eluding it. The court of Madrid showed equal displeasure. To relinquish any part of the Spanish provinces, in lieu of claims, so apparently unjust, and these urged with such violence and haughtiness, inspired the highest disgust. Often did the Spaniards threaten to abandon entirely the Low Countries, rather than submit to so cruel a mortification; and they endeavoured, by this menace, to terrify the mediating powers into more vigorous measures for their support. But Temple and de Wit were better acquainted with the views and interests of Spain. They knew, that she must still retain the Low Countries, as a bond of connexion with the other European powers, who alone, if her young monarch should happen to die without issue, could ensure her independency against the pretensions of France. They still urged, therefore, the terms of the triple league, and threatened Spain with war in case of refusal. The plenipotentiaries of all the powers met at Aix-la-Chapelle. Temple was minister for England; Van Beuninghen for Holland; D'Hona for Sweden.

TREATY OF AIX-LA-CHAPELLE.

SPAIN at last, pressed on all hands, accepted of the alternative offered; but in her very compliance, she gave strong symptoms of ill-humour and discontent. It had been apparent, that the Hollanders, entirely neglecting the honour of the Spanish monarchy, had been anxious only for their own security; and, provided they could remove Lewis to a distance from their frontier, were more indifferent what progress he made in other places. Sensible of these views, the queen regent of Spain resolved still to keep them in an anxiety, which might for the future be the foundation of an union more intimate than they were willing at present to enter into. Franche-comte, by a vigorous and well-concerted plan of the French king, had been conquered, in fifteen days, during a rigorous season, and in the midst of winter. She chose, therefore, to recover this province, and to abandon all the towns conquered in Flanders during the last campaign. By this means,

Lewis extended his garrisons into the heart of the Low Countries; and a very feeble barrier remained to the Spanish provinces.

But notwithstanding the advantages of his situation, the French monarch could entertain small hopes of ever extending his conquests on that quarter, which lay the most exposed to his ambition, and where his acquisitions were of most importance. The triple league guaranteed the remaining provinces to Spain; and the emperor and other powers of Germany, whose interest seemed to be intimately concerned, were invited to enter into the same confederacy. Spain herself, having, about this time, under the mediation of Charles, made peace on equal terms with Portugal, might be expected to exert more vigour and opposition to her haughty and triumphant rival. The great satisfaction, expressed in England, on account of the counsels now embraced by the court, promised the hearty concurrence of parliament in every measure which could be proposed for opposition to the grandeur of France. And thus all Europe seemed to repose herself with security under the wings of that powerful confederacy, which had been so happily formed for her protection. It is now time to give some account of the state of affairs in Scotland and in Ireland.

AFFAIRS OF SCOTLAND.

THE Scottish nation, though they had never been subject to the arbitrary power of their prince, had but very imperfect notions of law and liberty; and scarcely in any age had they ever enjoyed an administration, which had confined itself within the proper boundaries. By their final union alone with England, they once hated adversary, they have happily attained the experience of a government perfectly regular, and exempt from all violence and injustice. Charles, from his aversion to business, had intrusted the affairs of that country to his ministers, particularly Middleton; and these could not forbear making very extraordinary stretches of authority.

There had been intercepted a letter, written by lord Lorne to lord Duffus, in which, a little too plainly, but very truly, he complained, that his enemies had endeavoured by falsehood to prepossess the king against him. But he said, that he had now discovered them, had defeated them, and had gained the person, meaning the earl of Clarendon, upon whom the chief of them depended. This letter was produced before the parliament; and Lorne was tried upon an old tyrannical, absurd law against *Leasing-making*; by which it was rendered criminal to belie the subjects to the king, or create in him an ill opinion of them. He was condemned to die: but Charles was much displeased with the sentence, and granted him a pardon.¹¹

It was carried in parliament, that twelve

persons, without crime, witness, trial, or accuser, should be declared incapable of all trust or office; and to render this injustice more egregious, it was agreed, that these persons should be named by ballot: a method of voting which several republics had adopted at elections, in order to prevent faction and intrigue; but which could serve only as a cover to malice and iniquity, in the inflicting of punishments. Lauderdale, Crawford, and sir Robert Murray, among others, were incapacitated: but the king, who disapproved of this injustice, refused his assent.¹²

An act was passed against all persons, who should move the king for restoring the children of those who were attainted by parliament; an unheard of restraint on applications for grace and mercy. No penalty was affixed; but the act was but the more violent and tyrannical on that account. The court-lawyers had established it as a maxim, that the assigning of a punishment was a limitation of the crown: whereas a law, forbidding any thing, though without a penalty, made the offenders criminal. And in that case, they determined, that the punishment was arbitrary; only that it could not extend to life. Middleton as commissioner passed this act; though he had no instructions for that purpose.

An act of indemnity passed; but at the same time it was voted, that all those who had offended during the late disorders, should be subjected to fines; and a committee of parliament was appointed for imposing them. These proceeded without any regard to some equitable rules, which the king had prescribed to them.¹³ The most obnoxious compounded secretly. No consideration was had, either of men's riches, or of the degrees of their guilt: no proofs were produced: inquiries were not so much as made: but as fast as information was given in against any man, he was marked down for a particular fine: and all was transacted in a secret committee. When the list was read in parliament, exceptions were made to several: some had been under age during the civil wars; some had been abroad. But it was still replied, that a proper time would come, when every man should be heard in his own defence. The only intention, it was said, of setting the fines was, that such persons should have no benefit by the act of indemnity, unless they paid the sum demanded: every one that chose to stand upon his innocence, and renounce the benefit of the indemnity, might do it at his peril. It was well known, that no one would dare so far to set at defiance so arbitrary an administration. The king wrote to the council, ordering them to supersede the levying of those fines: but Middleton found means, during some time, to elude these orders.¹⁴ And at last, the king obliged his ministers to compound for half the

sums which had been imposed. In all these transactions, and in most others, which passed during this present reign, we still find the moderating hand of the king, interposed to protect the Scots from the oppressions which their own countrymen, employed in the ministry, were desirous of exercising over them.

But the chief circumstance, whence were derived all the subsequent tyranny and disorders in Scotland, was the execution of the laws for the establishment of episcopacy; a mode of government, to which a great part of the nation had entertained an unsurmountable aversion. The rights of patrons had for some years been abolished; and the power of electing ministers had been vested in the kirk-session, and lay-elders. It was now enacted, that all incumbents, who had been admitted upon this title, should receive a presentation from the patron, and should be instituted anew by the bishop, under the penalty of deprivation. The more rigid presbyterians concerted measures among themselves, and refused obedience: they imagined that their number would protect them. Three hundred and fifty parishes, above a third of the kingdom, were at once declared vacant. The western counties chiefly were obstinate in this particular. New ministers were sought for all over the kingdom; and no one was so ignorant or vicious as to be rejected. The people, who loved extremely and respected their former teachers; men remarkable for the severity of their manners, and their fervour in preaching; were inflamed against these intruders, who had obtained their livings under such invidious circumstances, and who took no care, by the regularity of their manners, to soften the prejudices entertained against them. Even most of those who retained their livings by compliance, fell under the imputation of hypocrisy, either by their showing a disgust to the new model of ecclesiastical government, which they had acknowledged; or, on the other hand, by declaring that their former abhorrence to presbytery and the covenant had been the result of violence and necessity. And as Middleton and the new ministry indulged themselves in great riot and disorder, to which the nation had been little accustomed, an opinion universally prevailed, that any form of religion, offered by such hands, must be profane and impious.

The people, notwithstanding their discontent, were resolved to give no handle against them, by the least symptom of mutiny or sedition: but this submissive disposition, instead of procuring a mitigation of the rigours, was made use of as an argument for continuing the same measures, which, by their vigour, it was pretended, had produced, so prompt an obedience. The king, however, was disgusted with the violence of Middleton;¹⁵ and he made Rothes commissioner in his place. This noble-

man was already president of the council; and soon after was made lord keeper and treasurer. Lauderdale still continued secretary of state, and commonly resided at London.

Affairs remained in a peaceable state, till the severe law was made in England against conventicles.¹⁶ The Scottish parliament imitated that violence, by passing a like act. A kind of high commission court was appointed by the privy-council, for executing this rigorous law, and for the direction of ecclesiastical affairs. But even this court, illegal as it might be deemed, was preferable to the method next adopted. Military force was let loose by the council. Wherever the people had generally forsaken their churches, the guards were quartered throughout the country. Sir James Turner commanded them, a man whose natural ferocity of temper was often inflamed by the use of strong liquors. He went about, and received from the clergy lists of those who absented themselves from church, or were supposed to frequent conventicles. Without any proof or legal conviction, he demanded a fine from them, and quartered soldiers on the supposed delinquents, till he received payment. As an insurrection was dreaded during the Dutch war, new forces were levied, and intrusted to the command of Dalziel and Drummond; two officers, who had served the king during the civil wars, and had afterwards engaged in the service of Russia, where they had increased the native cruelty of their disposition. A full career was given to their tyranny by the Scottish ministry. Representations were made to the king against these enormities. He seemed touched with the state of the country; and besides giving orders, that the ecclesiastical commission should be discontinued, he signified his opinion, that another way of proceeding was necessary for his service.¹⁷

This lenity of the king's came too late to remedy the disorders. The people, inflamed with bigotry, and irritated by ill usage, rose in arms. They were instigated by Guthrie, Semple, and other preachers. They surprised Turner in Dumfries, and resolved to have put him to death; but finding, that his orders, which fell into their hands, were more violent than his execution of them, they spared his life. At Lanerick, after many prayers, they renewed the covenant, and published their manifesto; in which they professed all submission to the king: they desired only the re-establishment of presbytery and of their former ministers. As many gentlemen of their party had been confined on suspicion; Wallace and Learmont, two officers, who had served, but in no high rank, were intrusted by the populace with the command. Their force never exceeded two thousand men; and though the country in general bore them favour, men's

spirits were so subdued, that the rebels could expect no farther accession of numbers. Dalziel took the field to oppose their progress. Their number was now diminished to eight hundred; and these, having advanced near Edinburgh, attempted to find their way back into the west by Pentland Hills. They were attacked by the king's forces.¹⁸ Finding that they could not escape, they stopped their march. Their clergy endeavoured to infuse courage into them. After singing some psalms, the rebels turned on the enemy; and being assisted by the advantage of the ground, they received the first charge very resolutely. But that was all the action: immediately they fell into disorder, and fled for their lives. About forty were killed on the spot, and a hundred and thirty taken prisoners. The rest, favoured by the night, and by the weariness, and even by the pity of the king's troops, made their escape.

The oppressions which these people had suffered, the delusions under which they laboured, and their inoffensive behaviour during the insurrection, made them the objects of compassion. Yet were the king's ministers, particularly Sharpe, resolved to take severe vengeance. Ten were hanged off one gibbet at Edinburgh: thirty-five before their own doors in different places. These criminals might all have saved their lives, if they would have renounced the covenant. The executions were going on, when the king put a stop to them. He said, that blood enough had already been shed, and he wrote a letter to the privy-council, in which he ordered that such of the prisoners as should simply promise to obey the laws for the future, should be set at liberty, and that the incorrigible should be sent to the plantations.¹⁹ This letter was brought by Burnet, archbishop of Glasgow; but not being immediately delivered to the council by Sharpe, the president,²⁰ one Maccail, had in the interval been put to the torture, under which he expired. He seemed to die in an ecstasy of joy. "Farewel sun, moon, and stars; farewell world and time; farewell weak and frail body; welcome eternity, welcome angels and saints, welcome Saviour of the world, and welcome God, the judge of all!" Such were his last words; and these animated speeches he uttered with an accent and manner, which struck all the bye-standers with astonishment.

AFFAIRS OF IRELAND.

THE settlement of Ireland, after the restoration, was a work of greater difficulty than that of England, or even of Scotland. Not only the power, during the former usurpations, had there been vested in the king's enemies: the whole property, in a manner, of the kingdom had also been changed; and it became

necessary to redress, but with as little violence as possible, many grievous hardships and iniquities, which were there complained of.

The Irish catholics had in 1648 concluded a treaty with Ormond, the king's lieutenant, in which they had stipulated pardon for their past rebellion, and had engaged, under certain conditions, to assist the royal cause: and though the violence of the priests and the bigotry of the people had prevented, in a great measure, the execution of this treaty; yet were there many, who having strictly, at the hazard of their lives, adhered to it, seemed on that account well entitled to reap the fruits of their loyalty. Cromwel having, without distinction, expelled all the native Irish from the three provinces of Munster, Leinster, and Ulster, had confined them to Connaught and the county of Clare; and among those who had thus been forfeited, were many whose influence was altogether unquestionable. Several protestants likewise, and Ormond among the rest, had all along opposed the Irish rebellion; yet having afterwards embraced the king's cause against the parliament, they were all of them attainted by Cromwel. And there were many officers who had, from the commencement of the insurrection, served in Ireland, and who, because they would not desert the king, had been refused their arrears by the English commonwealth.

To all these unhappy sufferers some justice seemed to be due: but the difficulty was to find the means of redressing such great and extensive iniquities. Almost all the valuable parts of Ireland had been measured out and divided, either to the adventurers, who had lent money to the parliament for the suppression of the Irish rebellion, or to the soldiers, who had received land in lieu of their arrears. These could not be dispossessed, because they were the most powerful and only armed part of Ireland; because it was requisite to favour them, in order to support the protestant and English interest in that kingdom; and because they had generally, with seeming zeal and alacrity, concurred in the king's restoration. The king, therefore, issued a proclamation, in which he promised to maintain their settlement, and at the same time engaged to give redress to innocent sufferers. There was a quantity of land as yet undivided in Ireland; and from this and some other funds, it was thought possible for the king to fulfil both these engagements.

A court of claims was erected, consisting altogether of English commissioners, who had no connexion with any of the parties, into which Ireland was divided. Before these were laid four thousand claims of persons craving restitution on account of their innocence; and the commissioners had found leisure to examine only six hundred. It already ap-

peared, that, if all these were to be restored, the funds, whence the adventurers and soldiers must get reprisals, would fall short of giving them any tolerable satisfaction. A great alarm and anxiety seized all ranks of men: the hopes and fears of every party were excited: these eagerly grasped at recovering their paternal inheritance: those were resolute to maintain their new acquisitions.

The duke of Ormond was created lord-lieutenant; being the only person, whose prudence and equity could compose such jarring interests. A parliament was assembled at Dublin; and as the lower house was almost entirely chosen by the soldiers and adventurers, who still kept possession, it was extremely favourable to that interest. The house of peers showed greater impartiality.

An insurrection was projected, together with a surprisal of the castle of Dublin, by some of the disbanded soldiers; but this design was happily defeated by the vigilance of Ormond. Some of the criminals were punished. Blood, the most desperate of them, escaped into England.

But affairs could not long remain in the confusion and uncertainty into which they had fallen. All parties seemed willing to abate somewhat of their pretensions, in order to attain some stability; and Ormond interposed his authority for that purpose. The soldiers and adventurers agreed to relinquish a third of their possessions; and as they had purchased their lands at very low prices, they had reason to think themselves favoured by this composition. All those, who had been attainted on account of their adhering to the king, were restored; and some of the innocent Irish. It was a hard situation, that a man was obliged to prove himself innocent in order to recover possession of the estate which he and his ancestors had ever enjoyed: but the hardship was augmented, by the difficult conditions annexed to this proof. If the person had ever lived in the quarters of the rebels, he was not admitted to plead his innocence; and he was, for that reason alone, supposed to have been a rebel. The heinous guilt of the Irish nation made men the more readily overlook any iniquity, which might fall on individuals; and it was considered, that, though it be always the interest of all good government to prevent injustice, it is not always possible to remedy it, after it has had a long course, and has been attended with great successes.

Ireland began to attain a state of some composure when it was disturbed by a violent act, passed by the English parliament, which prohibited the importation of Irish cattle into England.²¹ Ormond remonstrated strongly against this law. He said, that the present trade, carried on between England and Ireland, was extremely to the advantage of the

former kingdom, which received only provisions of rude materials, in return for every species of manufacture: that if the cattle of Ireland had no other commodity, by which they could pay England for their importations, and must have recourse to other nations for a supply: that the industrious inhabitants of England, if deprived of Irish provisions, which made living cheap, would be obliged to augment the price of labour, and thereby render their manufactures too dear to be exported to foreign markets: that the indolent inhabitants of Ireland, finding provisions fall almost to nothing, would never be induced to labour, but would perpetuate to all generations their native sloth and barbarism: that by cutting off almost entirely the trade between the kingdoms, all the natural bands of union were dissolved, and nothing remained to keep the Irish in their duty but force and violence: and that, by reducing that kingdom to extreme poverty, it would be even rendered incapable of maintaining that military power, by which, during its well-grounded discontents, it must necessarily be retained in subjection.

The king was so much convinced of the justice of these reasons, that he used all his interest to oppose the bill, and he openly declared, that he could not give his assent to it with a safe conscience. But the commons were resolute in their purpose. Some of the rents of England had fallen of late years, which

had been ascribed entirely to the importation of Irish cattle: several intrigues had contributed to inflame that prejudice, particularly those of Buckingham and Ashley, who were desirous of giving Ormond disturbance in his government: and the spirit of tyranny, of which nations are as susceptible as individuals, had extremely animated the English to exert their superiority over their dependent state. No affair could be conducted with greater violence than this was by the commons. They even went so far in the preamble of the bill as to declare the importation of Irish cattle to be a *nuisance*. By this expression they gave scope to their passion, and at the same time barred the king's prerogative, by which he might think himself entitled to dispense with a law so full of injustice and bad policy. The lords expunged the word: but as the king was sensible that no supply would be given by the commons, unless they were gratified in their prejudices, he was obliged both to employ his interest with the peers for making the bill pass, and to give the royal assent to it. He could not, however, forbear expressing his displeasure at the jealousy entertained against him, and at the intention which the commons discovered of retrenching his prerogative.

This law brought great distress for some time upon the Irish; but it has occasioned their applying with greater industry to manufactures, and has proved in the issue beneficial to that kingdom.

NOTES.

1 Temple, vol. ii. p. 42.

2 King James, in his Memoirs, gives an account of this affair different from what we meet with in any historian. He says, that while he was asleep, Brouncker brought orders to sir John Harman, captain of the ship, to slacken sail. Sir John remonstrated, but obeyed. After some time, finding that his falling back was likely to produce confusion in the fleet, he hoisted the sail as before: so that the prince coming soon after on the quarter-deck, and finding all things as he left them, knew nothing of what had passed during his repose. Nobody gave him the least intimation of it. It was long after, that he heard of it by a kind of accident; and he intended to have punished Brouncker by martial law; but just about that time, the house of commons took up the question and impeached

him, which made it impossible for the duke to punish him otherwise than by dismissing him his service. Brouncker, before the house, never pretended that he had received any orders from the duke.

3 D'Estrades, 19th December, 1664.

4 D'Estrades, 14 August, 1665.

5 Tromp's life. D'Estrades, 5th of February, 1665.

6 D'Estrades, 21st of May, 1666.

7 The Dutch had spent on the war near 40 millions of livres a-year, above three millions sterling: a much greater sum than had been granted by the English parliament. D'Estrades, 24th of December, 1665; 1st of January, 1666. Temple, vol. i. p. 71. It was probably the want of money which engaged the king to pay the seamen with tickets; a contrivance which proved so much to their loss.

8 Temple, vol. ii. p. 41.

9 Some non-conformists, however, both in Scotland and England, had kept a correspondence with the States, and had entertained projects for insurrections, but they were too weak even to attempt the execution of them. D'Estrades, 13th October, 1665.

10 25th of January, 1662.

11 Burnet, p. 149.

12 Burnet, p. 152.

13 Burnet, p. 147.

14 Burnet, p. 201.

15 Burnet, p. 202.

16 In 1664.

17 Burnet, p. 215.

18 28th November, 1666.

19 Burnet, p. 237.

20 Wodrow's History, vol. i. p. 233.

21 In 1665.

CHAPTER LXV.

A Parliament—the Cabal—their Characters—their Counsels.—Alliance with France.—A Parliament.—Coventry Act.—Blood's Crimes.—Duke declares himself Catholic.—Exchequer shut.—Declaration of Indulgence.—Attack of the Smyrna Fleet.—War declared with Holland.—Weakness of the States.—Battle of Solebay.—Sandwich killed.—Progress of the French.—Consternation of the Dutch.—Prince of Orange Stadtholder.—Massacre of the De Witts.—Good Conduct of the Prince.—A Parliament.—Declaration of Indulgence recalled.—Sea-fight.—Another Sea-fight.—Another Sea-fight.—Congress of Cologne.—A Parliament.—Peace with Holland.

SINCE the restoration, England had attained a situation which had never been experienced in any former period of her government, and which seemed the only one that could fully ensure, at once, her tranquillity and her liberty: the king was in continual want of supply from the parliament; and he seemed willing to accommodate himself to that dependent situation. Instead of reviving those claims of prerogative, so strenuously insisted on by his predecessors, Charles had strictly confined himself within the limits of law, and had courted, by every art of popularity, the affections of his subjects. Even the severities, however blameable, which he had exercised against non-conformists, are to be considered as expedients by which he strove to ingratiate himself with that party which predominated in parliament. But notwithstanding these promising appearances, there were many circumstances which kept the government from resting steadily on that bottom on which it was placed. The crown having lost almost all its ancient revenues, relied entirely on voluntary grants of the people; and the commons, not fully accustomed to this new situation, were not yet disposed to supply with sufficient liberality the necessities of the crown. They imitated too strictly the example of their predecessors in a rigid frugality of public money; and neither sufficiently considered the indigent condition of their prince, nor the general state of Europe; where every nation, by its increase both of magnificence and force, had made great additions to all public expences. Some considerable sums, indeed, were bestowed on Charles; and the patriots of that age, tenacious of ancient maxims, loudly upbraided the commons with prodigality: but if we may judge by the example of a later period, when the government has become more regular, and the harmony of its parts has been more happily adjusted, the parliaments of this reign seem rather to have merited a contrary reproach.

The natural consequence of the poverty of the crown was, besides feeble irregular transactions in foreign affairs, a continual uncertainty in its domestic administration. No one

could answer, with any tolerable assurance, for the measures of the house of commons. Few of the members were attached to the court by any other band than that of inclination. Royalists indeed in their principles, but unexperienced in business, they lay exposed to every rumour or insinuation; and were driven by momentary gusts or currents, no less than the populace themselves. Even the attempts made to gain an ascendant over them by offices, and, as it is believed, by bribes and pensions, were apt to operate in a manner contrary to what was intended by the ministers. The novelty of the practice conveyed a general, and indeed a just alarm; while, at the same time, the poverty of the crown rendered this influence very limited and precarious.

The character of Charles was ill fitted to remedy those defects in the constitution. He acted in the administration of public affairs as if government were a pastime, rather than a serious occupation; and by the uncertainty of his conduct, he lost that authority which could alone bestow constancy on the fluctuating resolutions of the parliament. His expences too, which sometimes perhaps exceeded the proper bounds, were directed more by inclination than by policy; and while they increased his dependence on the parliament, they were not calculated fully to satisfy either the interested or disinterested part of that assembly.

A PARLIAMENT. Feb. 9.

THE parliament met, after a long adjournment; and the king promised himself every thing from the attachment of the commons. All his late measures had been calculated to acquire the good-will of his people; and above all, the triple league, it was hoped, would be able to efface all the disagreeable impressions left by the unhappy conclusion of the Dutch war. But a new attempt made by the court, and a laudable one too, lost him, for a time, the effect of all these endeavours. Buckingham, who was in great favour with the king, and carried on many intrigues among the commons, had also endeavoured to support connexion

with the non-conformists; and he now formed a scheme, in concert with the lord-keeper, sir Orlando Bridgeman, and the chief justice, sir Matthew Hale, two worthy patriots, to put an end to those severities under which these religionists had so long laboured. It was proposed to reconcile the presbyterians by a comprehension, and to grant a toleration to the independents and other sectaries. Favour seems not, by this scheme, as by others embraced during the present reign, to have been intended the catholics: yet were the zealous commons so disgusted, that they could not be prevailed on even to give the king thanks for the triple league, however laudable that measure was then, and has ever since been esteemed. They immediately voted an address for a proclamation against conventicles. Their request was complied with; but as the king still dropped some hints of his desire to reconcile his protestant subjects, the commons passed a very unusual vote, that no man should bring into the house any bill of that nature. The king in vain reiterated his solicitations for supply; represented the necessity of equipping a fleet; and even offered, that the money which they should grant should be collected and issued for that purpose by commissioners appointed by the house. Instead of complying, the commons voted an enquiry into all the miscarriages during the late war; the slackening of sail after the duke's victory from false orders delivered by Brounker, the miscarriage at Bergen, the division of the fleet under prince Rupert and Albemarle, the disgrace at Chatham. Brounker was expelled the house, and ordered to be impeached. Commissioner Pet, who had neglected orders issued for the security of Chatham, met with the same fate. These impeachments were never prosecuted. The house at length, having been indulged in all their prejudices, were prevailed with to vote the king three hundred and ten thousand pounds, by an imposition on wine and other liquors; after which they were adjourned.

Public business, besides being retarded by the disgust of the commons against the tolerating maxims of the court, met with obstructions this session from a quarrel between the two houses. Skinner, a rich merchant in London, having suffered some injuries from the East-India company, laid the matter by petition before the house of lords, by whom he was relieved in costs and damages to the amount of five thousand pounds. The commons voted, that the lords, in taking cognizance of this affair, originally, without any appeal from inferior courts, had acted in a manner not agreeable to the laws of the land, and tending to deprive the subject of the right, case, and benefit due to him by these laws; and that Skinner, in prosecuting the suit after this manner, had infringed the privileges of

the commons: for which offence they ordered him to be taken into custody. Some conferences ensued between the houses; where the lords were tenacious of their right of judicature, and maintained, that the method in which they had exercised it was quite regular. The commons rose into a great ferment; and went as far as to vote, that "whoever should be aiding or assisting in putting in execution the order or sentence of the house of lords, in the case of Skinner against the East-India company; should be deemed a betrayer of the rights and liberties of the commons of England, and an infringer of the privileges of the house of commons." They rightly judged, that it would not be easy, after this vote, to find any one who would venture to incur their indignation. The proceedings indeed of the lords seem in this case to have been unusual, and without precedent.

1669. The king's necessities obliged him again to assemble the parliament, (19th Oct.) who showed some disposition to relieve him. The price, however, which he must pay for this indulgence, was his yielding to new laws against conventicles. His complaisance in this particular contributed more to gain the commons, than all the pompous pretences of supporting the triple alliance, that popular measure by which he expected to make such advantage. The quarrel between the two houses was revived; and as the commons had voted only four hundred thousand pounds, with which the king was not satisfied, he thought proper, before they had carried their vote into a law, to prorogue them (11th Dec.) The only business finished this short session, was the receiving of the report of the committee appointed for examining the public accounts. On the first inspection of this report, there appears a great sum, no less than a million and a half, unaccounted for; and the natural inference is, that the king had much abused the trust reposed in him by parliament. But a more accurate inspection of particulars serves, in a great measure, to remove this imputation. The king indeed went so far as to tell the parliament from the throne, "That he had fully informed himself of that matter, and did affirm, that no part of those moneys which they had given him had been diverted to other uses; but, on the contrary, besides all those supplies, a very great sum had been raised out of his standing revenue and credit, and a very great debt contracted; and all for the war." Though artificial pretences have often been employed by kings in their speeches to parliament, and by none more than Charles, it is somewhat difficult to suspect him of a direct lie and falsehood. He must have had some reasons, and perhaps not unplausible ones, for this affirmation, of which all his hearers, as they had the accounts lying before them, were

at that time competent judges. [*See note (W), at the end of this Vol.*]

The method which all parliaments had hitherto followed, was to vote a particular sum for the supply, without any distinction, or any appropriation to particular services. So long as the demands of the crown were small and casual, no great inconveniences arose from this practice. But as all the measures of government were now changed, it must be confessed, that, if the king made a just application of public money, this inaccurate method of proceeding, by exposing him to suspicion, was prejudicial to him. If he were inclined to act otherwise, it was equally hurtful to the people. For these reasons, a contrary practice, during all the late reigns, has constantly been followed by the commons.

1670. When the parliament met (14th Feb.) after the prorogation, they entered anew upon the business of supply, and granted the king an additional duty, during eight years, of twelve pounds on each tun of Spanish wine imported, eight on each tun of French. A law also passed empowering him to sell the fee-farm rents; the last remains of the demesnes, by which the ancient kings of England had been supported. By this expedient, he obtained some supply for his present necessities, but left the crown, if possible, still more dependent than before. How much money might be raised by these sales, is uncertain; but it could not be near one million eight hundred thousand pounds, the sum assigned by some writers.¹

The act against conventicles passed, and received the royal assent. It bears the appearance of mitigating the former persecuting laws; but, if we may judge by the spirit, which had broken out almost every session during this parliament, it was not intended as any favour to the non-conformists. Experience probably had taught, that laws over-rigid and severe could not be executed. By this act the bearer in a conventicle (that is, in a dissenting assembly, where more than five were present, besides the family) was fined five shillings for the first offence, ten for the second; the preacher twenty pounds for the first offence, forty for the second. The person in whose house the conventicle met, was amerced a like sum with the preacher. One clause is remarkable; that, if any dispute should arise with regard to the interpretation of any part of the act, the judges should always explain the doubt in the sense least favourable to conventicles, it being the intention of parliament entirely to suppress them. Such was the zeal of the commons, that they violated the plainest and most established maxims of civil policy, which require, that, in all criminal prosecutions, favour should always be given to the prisoner.

The affair of Skinner still remained a ground

of quarrel between the two houses; but the king prevailed with the peers to accept of the expedient proposed by the commons, that a general rasure should be made of all transactions with regard to that disputed question.

Some attempts were made by the king to effect a union between England and Scotland; though they were too feeble to remove all the difficulties which obstructed that useful and important undertaking. Commissioners were appointed to meet in order to regulate the conditions: but the design, chiefly by the intrigues of Lauderdale, soon after came to nothing.

The king, about this time, began frequently to attend the debates of the house of peers. He said, that they amused him, and that he found them no less entertaining than a play. But deeper designs were suspected. As he seemed to interest himself extremely in the cause of lord Roos, who had obtained a divorce from his wife on the accusation of adultery, and applied to parliament for leave to marry again, people imagined, that Charles intended to make a precedent of the case, and that some other pretence would be found for getting rid of the queen. Many proposals to this purpose, it is said, were made him by Buckingham: but the king, how little scrupulous soever in some respects, was incapable of any action harsh or barbarous; and he always rejected every scheme of this nature. A suspicion, however, of such intentions, it was observed, had, at this time, begotten a coldness between the two royal brothers.

We now come to a period, when the king's counsels, which had hitherto, in the main, been good, though negligent and fluctuating, became, during some time, remarkably bad, or even criminal; and breeding incurable jealousies in all men, were followed by such consequences as had almost terminated in the ruin both of prince and people. Happily the same negligence still attended him; and, as it had lessened the influence of the good, it also diminished the effect of the bad measures which he embraced.

THE CABAL.

It was remarked, that the committee of council, established for foreign affairs, was entirely changed; and that prince Rupert, the duke of Ormond, secretary Trevor, and lord keeper Bridgeman, men in whose honour the nation had great confidence, were never called to any deliberations. The whole secret was intrusted to five persons, Clifford, Ashley, Buckingham, Arlington, and Lauderdale. These men were known by the appellation of the Cabal, a word which the initial letters of their names happened to compose. Never was there a more dangerous ministry in England, nor one more noted for pernicious counsels.

THEIR CHARACTERS.

LORD ASHLEY, soon after known by the name of earl of Shaftesbury, was one of the most remarkable characters of the age, and the chief spring of all the succeeding movements. During his early youth, he had engaged in the late king's party; but being disgusted with some measures of prince Maurice, he soon deserted to the parliament. He insinuated himself into the confidence of Cromwel; and as he had great influence with the presbyterians, he was serviceable in supporting with his party, the authority of that usurper. He employed the same credit in promoting the restoration; and on that account both deserved and acquired favour with the king. In all his changes he still maintained the character of never betraying those friends whom he deserted; and whichever party he joined, his great capacity and singular talents soon gained him their confidence, and enabled him to take the lead among them. No station could satisfy his ambition, no fatigues were insuperable to his industry. Well acquainted with the blind attachment of faction, he surmounted all sense of shame: and relying on the subtlety of his contrivance, he was not startled with enterprises the most hazardous and most criminal. His talents, both of public speaking and private insinuation, shone out in an eminent degree; and amidst all his furious passions, he possessed a sound judgment of business, and still more of men. Though fitted by nature for beginning and pushing the greatest undertakings, he was never able to conduct any to a happy period; and his eminent abilities, by reason of his insatiable desires, were equally dangerous to himself, to the prince, and to the people.

The duke of Buckingham possessed all the advantages, which a graceful person, a high rank, a splendid fortune, and a lively wit, could bestow; but by his wild conduct, unrestrained either by prudence or principle, he found means to render himself in the end odious and even insignificant. The least interest could make him abandon his honour; the smallest pleasure could seduce him from his interest: the most frivolous caprice was sufficient to counterbalance his pleasure. By his want of secrecy and constancy, he destroyed his character in public life; by his contempt of order and economy, he dissipated his private fortune; by riot and debauchery, he ruined his health; and he remained at last as incapable of doing hurt, as he had ever been little desirous of doing good, to mankind.

The earl, soon after created duke of Lauderdale, was not defective in natural, and still less in acquired, talents; but neither was his address graceful, nor his understanding just. His principles, or more properly speaking his

prejudices, were obstinate, but unable to restrain his ambition: his ambition was still less dangerous than the tyranny and violence of his temper. An implacable enemy, but a lukewarm friend; insolent to his inferiors, but abject to his superiors; though in his whole character and deportment he was almost diametrically opposite to the king, he had the fortune, beyond any other minister, to maintain, during the greater part of his reign, an ascendant over him.

The talents of parliamentary eloquence and intrigue had raised sir Thomas Clifford; and his daring impetuous spirit gave him weight in the king's councils. Of the whole cabal, Arlington was the least dangerous, either by his vices or his talents. His judgment was sound, though his capacity was but moderate; and his intentions were good, though he wanted courage and integrity to persevere in them. Together with Temple and Bridgeman, he had been a great promoter of the triple league; but he threw himself, with equal alacrity, into opposite measures, when he found them agreeable to his master. Clifford and he were secretly catholics: Shaftesbury, though addicted to astrology, was reckoned a deist: Buckingham had too little reflection to embrace any steady principles: Lauderdale had long been a bigoted and furious presbyterian; and the opinions of that sect still kept possession of his mind, how little soever they appeared in his conduct.

THEIR COUNSELS.

THE dark counsels of the cabal, though from the first they gave anxiety to all men of reflection, were not thoroughly known but by the event. Such seem to have been the views which they, in concurrence with some catholic courtiers, who had the ear of their sovereign, suggested to the king and the duke, and which these princes too greedily embraced. They said, that the parliament, though the spirit of party, for the present attached them to the crown, were still more attached to those powers and privileges which their predecessors had usurped from the sovereign: that after the first flow of kindness was spent, they had discovered evident symptoms of discontent; and would be sure to turn against the king all the authority which they had retained, and still more those pretensions which it was easy for them in a moment to revive: that they not only kept the king in dependence by means of his precarious revenue, but had never discovered a suitable generosity, even in those temporary supplies which they granted him: that it was high time for the prince to rouse himself from his lethargy, and to recover that authority which his predecessors, during so many ages, had peaceably enjoyed: that the great error or misfortune of his father

was the not having formed any close connexion with foreign princes, who, on the breaking out of the rebellion, might have found their interest in supporting him: that the present alliances, being entered into with so many weaker potentates, who themselves stood in need of the king's protection, could never serve to maintain, much less augment, the royal authority: that the French monarch alone, so generous a prince, and by blood so nearly allied to the king, would be found both able and willing, if gratified in his ambition, to defend the common cause of kings against usurping subjects: that a war, undertaken against Holland by the united force of two such mighty potentates, would prove an easy enterprise, and would serve all the purposes which were aimed at: that, under pretence of that war, it would not be difficult to levy a military force, without which, during the prevalence of republican principles among his subjects, the king would vainly expect to defend his prerogative: that his naval power might be maintained, partly by the supplies, which, on other pretences, would previously be obtained from parliament; partly by subsidies from France; partly by captures which might easily be made on that opulent republic: that, in such a situation, attempts to recover the lost authority of the crown would be attended with success; nor would any malcontents dare to resist a prince fortified by so powerful an alliance; or if they did, they would only draw more certain ruin on themselves and on their cause: and that, by subduing the States, a great step would be made towards a reformation of the government; since it was apparent, that that republic, by its fame and grandeur, fortified, by its factious subjects, their attachment to what they vainly termed their civil and religious liberties.

These suggestions happened fatally to concur with all the inclinations and prejudices of the king; his desire of more extensive authority, his propensity to the catholic religion, his avidity for money. He seems likewise, from the very beginning of his reign, to have entertained great jealousy of his own subjects, and, on that account, a desire of fortifying himself by an intimate alliance with France. So early as 1664, he had offered the French monarch to allow him, without opposition, to conquer Flanders, provided that prince would engage to furnish him with ten thousand infantry, and a suitable number of cavalry, in case of any rebellion in England.² As no dangerous symptoms at that time appeared, we are left to conjecture, from this incident, what opinion Charles had conceived of the factious disposition of his people.

Even during the time when the triple alliance was the most zealously cultivated, the king never seems to have been entirely cordial in those salutary measures, but still to have

cast a longing eye towards the French alliance. Clifford, who had much of his confidence, said imprudently, "Notwithstanding all this joy, we must have a second war with Holland." The accession of the emperor to that alliance had been refused by England on frivolous pretences. And many unfriendly cavils were raised against the States with regard to Surinam and the conduct of the East-India company. [See note (X), at the end of this Vol.] But about April, 1669, the strongest symptoms appeared of those fatal measures which were afterwards more openly pursued.

De Wit, at that time, came to Temple, and told him, that he paid him a visit as a friend, not as a minister. The occasion was, to acquaint him with a conversation which he had lately had with Puffendorf the Swedish agent, who had passed by the Hague in the way from Paris to his own country. The French ministers, Puffendorf said, had taken much pains to persuade him, that the Swedes would very ill find their account in those measures which they had lately embraced: that Spain would fail them in all her promises of subsidies: nor would Holland alone be able to support them: that England would certainly fail them, and had already adopted counsels directly opposite to those which by the triple league she had bound herself to pursue: and that the resolution was not the less fixed and certain, because the secret was as yet communicated to very few, either in the French or English court. When Puffendorf seemed incredulous, Turenne showed him a letter from Colbert de Cressy, the French minister at London; in which, after mentioning the success of his negotiations, and the favourable disposition of the chief ministers there, he added, "And I have at last made them sensible of the full extent of his majesty's bounty."³ From this incident it appears, that the infamous practice of selling themselves to foreign princes, a practice which, notwithstanding the malignity of the vulgar, is certainly rare among men in high office, had not been scrupled by Charles's ministers, who even obtained their master's consent to this dishonourable corruption.

ALLIANCE WITH FRANCE. May 16.

BUT while all men of penetration, both abroad and at home, were alarmed with these incidents, the visit which the king received from his sister, the duchess of Orleans, was the foundation of still stronger suspicions. Lewis, knowing the address and insinuation of that amiable princess, and the great influence which she had gained over her brother, had engaged her to employ all her good offices, in order to detach Charles from the triple league, which, he knew had fixed such unsurmountable barriers to his ambition; and he now sent

her to put the last hand to the plan of their conjunct operations. That he might the better cover this negotiation, he pretended to visit his frontiers, particularly the great works which he had undertaken at Dunkirk; and he carried the queen and the whole court along with him. While he remained on the opposite shore, the duchess of Orleans went over to England; and Charles met her at Dover, where they passed ten days together in great mirth and festivity. By her artifices and caresses, she prevailed on Charles to relinquish the most settled maxims of honour and policy, and to finish his engagements with Lewis for the destruction of Holland; as well as for the subsequent change of religion in England.

But Lewis well knew Charles's character, and the usual fluctuation of his councils. In order to fix him in the French interests, he resolved to bind him by the ties of pleasure, the only ones which with him were irresistible; and he made him a present of a French mistress, by whose means he hoped, for the future, to govern him. The duchess of Orleans brought with her a young lady of the name of Querouaille, whom the king carried to London, and soon after created duchess of Portsmouth. He was extremely attached to her during the whole course of his life; and she proved a great means of supporting his connexions with her native country.

The satisfaction which Charles reaped from his new alliance received a great check by the death of his sister, and still more by those melancholy circumstances which attended it. Her death was sudden, after a few days illness; and she was seized with the malady upon drinking a glass of succory water. Strong suspicions of poison arose in the court of France, and were spread all over Europe; and as her husband had discovered many symptoms of jealousy and discontent on account of her conduct, he was universally believed to be the author of the crime. Charles himself, during some time, was entirely convinced of his guilt; but upon receiving the attestation of physicians, who, on opening her body, found no foundation for the general rumour, he was, or pretended to be, satisfied. The duke of Orleans, indeed, did never, in any other circumstance of his life, betray such dispositions as might lead him to so criminal an action; and a lady, it is said, drank the remains of the same glass, without feeling any inconvenience. The sudden death of princes is commonly accompanied with these dismal surmises, and therefore less weight is in this case to be laid on the suspicions of the public.

Charles, instead of breaking with France upon this incident, took advantage of it to send over Buckingham, under pretence of condoling with the duke of Orleans, but in reality to

concert farther measures for the projected war. Never ambassador received greater caresses. The more destructive the present measures were to the interests of England, the more natural was it for Lewis to load with civilities, and even with favours, those whom he could engage to promote them.

The journey of Buckingham augmented the suspicions in Holland, which every circumstance tended still farther to confirm. Lewis made a sudden irruption into Lorraine; and though he missed seizing the duke himself, who had no surmise of the danger, and who narrowly escaped, he was soon able, without resistance, to make himself master of the whole country. The French monarch was so far unhappy, that though the most tempting opportunities offered themselves, he had not commonly so much as the pretence of equity and justice to cover his ambitious measures. This acquisition of Lorraine ought to have excited the jealousy of the contracting powers in the triple league, as much as an invasion of Flanders itself; yet did Charles turn a deaf ear to all remonstrances made him upon that subject.

But what tended chiefly to open the eyes of de Wit and the States, with regard to the measures of England, was the sudden recall of sir William Temple. This minister had so firmly established his character of honour and integrity, that he was believed incapable even of obeying his master's commands, in promoting measures which he esteemed pernicious to his country; and so long as he remained in employment, de Wit thought himself assured of the fidelity of England. Charles was so sensible of this prepossession, that he ordered Temple to leave his family at the Hague, and pretended, that that minister would immediately return after having conferred with the king about some business, where his negotiation had met with obstructions. De Wit made the Dutch resident inform the English court, that he should consider the recall of Temple as an express declaration of a change of measures in England; and should even know what interpretation to put upon any delay of his return.

A PARLIAMENT. Oct. 24.

WHILE these measures were secretly in agitation, the parliament met according to adjournment. The king made a short speech, and left the business to be enlarged upon by the keeper. That minister much insisted on the king's great want of supply; the mighty increase of the naval power of France, now triple to what it was before the last war with Holland; the decay of the English navy; the necessity of fitting out next year a fleet of fifty sail; the obligations which the king lay under

by several treaties to exert himself for the common good of Christendom. Among other treaties, he mentioned the triple alliance, and the defensive league with the States.

The artifice succeeded. The house of commons, entirely satisfied with the king's measures, voted him considerable supplies. A land-tax for a year was imposed of a shilling a pound; two shillings a pound on two-thirds of the salaries of offices; fifteen shillings on every hundred pounds of bankers' money and stock; an additional excise upon beer for six years, and certain impositions upon law proceedings for nine years. The parliament had never before been in a more liberal humour; and never surely was it less merited by the counsels of the king and of his ministers.⁴

The commons passed another bill, for laying a duty on tobacco, Scotch salt, glasses, and some other commodities. Against this bill the merchants of London appeared by petition before the house of lords. The lords entered into their reasons, and began to make amendments on the bill sent up by the commons. This attempt was highly resented by the lower house, as an encroachment on the right, which they pretended to possess alone, of granting money to the crown. Many remonstrances passed between the two houses; and by their altercations the king was obliged to prorogue the parliament (22nd April, 1671,) and he thereby lost the money which was intended him. This is the last time that the peers have revived any pretensions of that nature. Ever since, the privilege of the commons, in all other places, except in the house of peers, has passed for uncontroverted.

There was a private affair, which, during this session, disgusted the house of commons, and required some pains to accommodate it. The usual method of those who opposed the court in the money bills was, if they failed in the main vote, as to the extent of the supply, to levy the money upon such funds as they expected would be unacceptable, or would prove deficient. It was proposed to lay an imposition upon playhouses: the courtiers objected, that the players were the king's servants, and a part of his pleasure. Sir John Coventry, a gentleman of the country party, asked, "whether the king's pleasure lay among the male or the female players?" This stroke of satire was aimed at Charles, who, besides his mistresses of higher quality, entertained at that time two actresses, Davis and Nell Gwin. The king received not the railery with the good humour which might have been expected. It was said, that this being the first time that respect to majesty had been publicly violated, it was necessary, by some severe chastisement, to make Coventry an example to all who might incline to tread in his footsteps. Sands, Brian, and some other officers of the guards,

were ordered to way-lay him, and to set a mark upon him. He defended himself with bravery, and after wounding several of the assailants, was disarmed with some difficulty. They cut his nose to the bone, in order, as they said, to teach him what respect he owed to the king. The commons were inflamed by this indignity offered to one of their members, on account of words spoken in the house. They passed a law, which made it capital to maim any person; and they enacted, that those criminals, who had assaulted Coventry, should be incapable of receiving a pardon from the crown.

BLOOD'S CRIMES.

THERE was another private affair transacted about this time, by which the king was as much exposed to the imputation of a capricious lenity, as he was here blamed for unnecessary severity. Blood, a disbanded officer of the protector's, had been engaged in the conspiracy for raising an insurrection in Ireland; and on account of this crime he himself had been attainted, and some of his accomplices capitally punished. The daring villain meditated revenge upon Ormond, the lord lieutenant. Having by artifice drawn off the duke's footmen, he attacked his coach in the night-time, as it drove along St. James's-street in London; and he made himself master of his person. He might here have finished the crime, had he not meditated refinements in his vengeance: he was resolved to hang the duke at Tyburn, and for that purpose bound him, and mounted him on horseback behind one of his companions. They were advanced a good way into the fields; when the duke, making efforts for his liberty, threw himself to the ground, and brought down with him the assassin together in the mire, when Ormond's servants, whom the alarm had reached, came and saved him. Blood and his companions, firing their pistols in a hurry at the duke, rode off, and saved themselves by means of the darkness.

Buckingham was at first, with some appearances of reason, suspected to be the author of this attempt. His profligate character, and his enmity against Ormond, exposed him to that imputation. Ossory soon after came to court; and seeing Buckingham stand by the king, his colour rose, and he could not forbear expressing himself to this purpose: "My lord, I know well that you are at the bottom of this late attempt upon my father: but I give you warning; if by any means he come to a violent end, I shall not be at a loss to know the author: I shall consider you as the assassin: I shall treat you as such; and wherever I meet you, I shall pistol you, though you stood behind the king's chair; and I tell it you in his majesty's presence, that you may be sure I shall not fail of

performance." If there was here any indecorum, it was easily excused in a generous youth, when his father's life was exposed to danger.

A little after, Blood formed a design of carrying off the crown and regalia from the Tower; a design to which he was prompted, as well by the surprising boldness of the enterprise, as by the views of profit. He was near succeeding. He had bound and wounded Edwards, the keeper of the jewel-office, and had gotten out of the Tower with his prey; but was overtaken and seized, with some of his associates. One of them was known to have been concerned in the attempt upon Ormond; and Blood was immediately concluded to be the ringleader. When questioned, he frankly avowed the enterprise; but refused to tell his accomplices. "The fear of death," he said, "should never engage him either to deny a guilt, or betray a friend." All these extraordinary circumstances made him the general subject of conversation; and the king was moved, by an idle curiosity, to see and speak with a person so noted for his courage and his crimes. Blood might now esteem himself secure of pardon; and he wanted not address to improve the opportunity. He told Charles, that he had been engaged, with others, in a design to kill him with a carabine above Battersea, where his majesty often went to bathe: that the cause of this resolution was the severity exercised over the consciences of the godly, in restraining the liberty of their religious assemblies: that when he had taken his stand among the reeds, full of these bloody resolutions, he found his heart checked with an awe of majesty; and he not only relented himself, but diverted his associates from their purpose: that he had long ago brought himself to an entire indifference about life, which he now gave for lost; yet could he not forbear warning the king of the danger which might attend his execution: that his associates had bound themselves by the strictest oaths to revenge the death of any of the confederacy: and that no precaution or power could secure any one from the effects of their desperate resolutions.

Whether these considerations excited fear or admiration in the king, they confirmed his resolution of granting a pardon to Blood; but he thought it a point of decency first to obtain the duke of Ormond's consent. Arlington came to Ormond in the king's name, and desired that he would not prosecute Blood, for reasons which he was commanded to give him. The duke replied, that his majesty's commands were the only reason that could be given; and being sufficient, he might therefore spare the rest. Charles carried his kindness to Blood still farther: he granted him an estate of five hundred pounds a year in

Ireland; he encouraged his attendance about his person; he showed him great countenance, and many applied to him for promoting their pretensions at court. And while old Edwards, who had bravely ventured his life, and had been wounded, in defending the crown and regalia, was forgotten and neglected, this man, who deserved only to be stared at, and detested as a monster, became a kind of favourite.

DUKE DECLARES HIMSELF CATHOLIC.

ERRORS of this nature in private life have often as bad an influence as miscarriages, in which the public is more immediately concerned. Another incident happened this year, which infused a general displeasure, and still greater apprehensions, into all men. The duchess of York died; and in her last sickness, she made open profession of the Romish religion, and finished her life in that communion. This put an end to that thin disguise which the duke had hitherto worn; and he now openly declared his conversion to the church of Rome. Unaccountable terrors of popery, ever since the accession of the house of Stuart, had prevailed throughout the nation; but these had formerly been found so groundless, and had been employed to so many bad purposes, that surmises of this nature were likely to meet with the less credit among all men of sense; and nothing but the duke's imprudent bigotry could have convinced the whole nation of his change of religion. Popery, which had hitherto been only a hideous spectre, was now become a real ground of terror; being openly and zealously embraced by the heir to the crown, a prince of industry and enterprise; while the king himself was not entirely free from like suspicions.

It is probable, that the new alliance with France inspired the duke with the courage to make open profession of his religion, and rendered him more careless of the affections and esteem of the English. This alliance became every day more apparent. Temple was declared to be no longer ambassador to the States; and Downing, whom the Dutch regarded as the inveterate enemy of their republic, was sent over in his stead. A ground of quarrel was sought by means of a yacht, dispatched for lady Temple. The captain sailed through the Dutch fleet, which lay on their own coasts; and he had orders to make them strike, to fire on them, and to persevere till they should return his fire. The Dutch admiral, Van Ghent, surprised at this bravado, came on board the yacht, and expressed his willingness to pay respect to the British flag, according to former practice: but that a fleet, on their own coasts, should strike to a single vessel, and that not a ship of war, was, he said,

such an innovation, that he durst not, without express orders, agree to it. The captain, thinking it dangerous, as well as absurd, to renew firing in the midst of the Dutch fleet, continued his course; and, for that neglect of orders, was committed to the Tower.

This incident, however, furnished Downing with a new article to increase those vain pretences, on which it was purposed to ground the intended rupture. The English court delayed several months before they complained; lest, if they had demanded satisfaction more early, the Dutch might have had time to grant it. Even when Downing delivered his memorial, he was bound by his instructions not to accept of any satisfaction after a certain number of days; a very imperious manner of negotiating, and impracticable in Holland, where the forms of the republic render delays absolutely unavoidable. An answer, however, though refused by Downing, was sent over to London; with an ambassador extraordinary, who had orders to use every expedient that might give satisfaction to the court of England. That court replied, that the answer of the Hollanders was ambiguous and obscure; but they would not specify the articles or expressions which were liable to that objection. The Dutch ambassador desired the English ministry to draw the answer in what terms they pleased, and he engaged to sign it. The English ministry replied, that it was not their business to draw papers for the Dutch. The ambassador brought them the draught of an article, and asked them whether it were satisfactory: the English answered that, when he had signed and delivered it, they would tell him their mind concerning it. The Dutchman resolved to sign it at a venture; and on his demanding a new audience, an hour was appointed for that purpose: but when he attended, the English refused to enter upon business, and told him, that the season for negotiating was now past.⁶

1672. Long and frequent prorogations were made of the parliament; lest the houses should declare themselves with vigour against counsels, so opposite to the inclination as well as interests of the public. Could we suppose that Charles, in his alliance against Holland, really meant the good of his people, that measure must pass for an extraordinary, nay, a romantic strain of patriotism, which could lead him, in spite of all difficulties, and even in spite of themselves, to seek the welfare of the nation. But every step, which he took in this affair, became a proof, to all men of penetration, that the present war was intended against the religion and liberties of his own subjects, even more than against the Dutch themselves. He now acted in every thing, as if he were already an absolute monarch, and was never more to lie under the control of national assemblies.

The long prorogations of parliament, if they freed the king from the importunate remonstrances of that assembly, were, however, attended with this inconvenience, that no money could be procured to carry on the military reparations against Holland. Under pretence of maintaining the triple league, which at that very time he had firmly resolved to break, Charles had obtained a large supply from the commons; but this money was soon exhausted by debts and expences. France had stipulated to pay two hundred thousand pounds a-year during the war; but that supply was inconsiderable, compared to the immense charge of the English navy. It seemed as yet premature to venture on levying money, without consent of parliament; since the power of taxing themselves was the privilege, of which the English were, with reason, particularly jealous. Some other resource must be fallen on. The king had declared, that the staff of treasurer was ready for any one that could find an expedient for supplying the present necessities. Shaftesbury dropped a hint to Clifford, which the latter immediately seized, and carried to the king, who granted him the promised reward, together with a peerage. This expedient was the shutting up of the Exchequer, and the retaining of all the payments which should be made into it.

EXCHEQUER SHUT. *Jan. 2.*

It had been usual for the bankers to carry their money to the Exchequer, and to advance it upon security of the funds, by which they were afterwards reimbursed, when the money was levied on the public. The bankers, by this traffic, got eight, sometimes ten, per cent. for sums which either had been consigned to them without interest, or which they had borrowed at six per cent.—profits, which they dearly paid for by this egregious breach of public faith. The measure was so suddenly taken, that none had warning of the danger. A general confusion prevailed in the city, followed by the ruin of many. The bankers stopped payment; the merchants could answer no bills; distrust took place every where, with a stagnation of commerce, by which the public was universally affected. And men, full of dismal apprehensions, asked each other, what must be the scope of those mysterious counsels, whence the parliament and all men of honour were excluded, and which commenced by the forfeiture of public credit, and an open violation of the most solemn engagements, both foreign and domestic.

DECLARATION OF INDULGENCE.

ANOTHER measure of the court contains something laudable, when considered in itself

but if we reflect on the motive whence it proceeded, as well as the time when it was embraced, it will furnish a strong proof of the arbitrary and dangerous counsels pursued at present by the king and his ministry. Charles resolved to make use of his supreme power in ecclesiastical matters; a power, he said, which was not only inherent in him, but which had been recognized by several acts of parliament. By virtue of this authority, he issued a proclamation (15th March), suspending the penal laws enacted against all non-conformists or recusants whatsoever; and granting to the protestant dissenters the public exercise of their religion, to the catholics the exercise of it in private houses. A fruitless experiment of this kind, opposed by the parliament, and retracted by the king, had already been made a few years after the restoration; but Charles expected, that the parliament, whenever it should meet, would now be tamed to greater submission, and would no longer dare to control his measures. Meanwhile the dissenters, the most inveterate enemies of the court, were mollified by these indulgent maxims: and the catholics, under their shelter, enjoyed more liberty than the laws had hitherto allowed them.

At the same time, the act of navigation was suspended by royal will and pleasure: a measure, which, though a stretch of prerogative, seemed useful to commerce; while all the seamen were employed on board the royal navy. A like suspension had been granted, during the first Dutch war, and was not much remarked; because men had, at that time, entertained less jealousy of the crown. A proclamation was also issued, containing rigorous clauses in favour of pressing: another full of menaces against those who presumed to speak undutifully of his majesty's measures, and even against those who heard such discourse, unless they informed in due time against the offenders: another against importing or vending any sort of painted earthen ware, "except those of China, upon pain of being grievously fined, and suffering the utmost punishment, which might be lawfully inflicted upon contemners of his majesty's royal authority." An army had been levied; and it was found, that discipline could not be enforced without the exercise of martial law, which was therefore established by order of council, though contrary to the petition of right. All these acts of power, how little important soever in themselves, savoured strongly of arbitrary government, and were nowise suitable to that legal administration, which the parliament, after such violent convulsions and civil wars, had hoped to have established in the kingdom.

It may be worth remarking, that the lord keeper refused to affix the great seal to the declaration for suspending the penal laws; and

was for that reason, though under other pretences, removed from his office. Shaftesbury was made chancellor in his place; and thus another member of the Cabal received the reward of his counsels.

ATTACK OF THE SMYRNA FLEET.

FOREIGN transactions kept pace with these domestic occurrences. An attempt, before the declaration of war, was made on the Dutch Smyrna fleet (March 13) by sir Robert Holmes. This fleet consisted of seventy sail, valued at a million and a half; and the hopes of seizing so rich a prey had been a great motive for engaging Charles in the present war, and he had considered that capture as a principal resource of supporting his military enterprises. Holmes, with nine frigates and three yachts, had orders to go on this command; and he passed Sprague in the channel, who was returning with a squadron from a cruise in the Mediterranean. Sprague informed him of the near approach of the Hollanders: and had not Holmes, from a desire of engrossing the honour and profit of the enterprise, kept the secret of his orders, the conjunction of these squadrons had rendered the success infallible. When Holmes approached the Dutch, he put on an amicable appearance, and invited the admiral Van Ness, who commanded the convoy, to come on board of him: one of his captains gave a like insidious invitation to the rear admiral. But these officers were on their guard. They had received an intimation of the hostile intentions of the English, and had already put all the ships of war and merchantmen in an excellent posture of defence. Three times were they valiantly assailed by the English; and as often did they valiantly defend themselves. In the third attack one of the Dutch ships of war was taken; and three or four of their most inconsiderable merchantmen fell into the enemies' hands. The rest, fighting with skill and courage, continued their course; and, favoured by a mist, got safe into their own harbours. This attempt is denominated perfidious and piratical by the Dutch writers, and even by many of the English. It merits at least the appellation of irregular; and, as it had been attended with bad success it brought double shame upon the contrivers. The English ministry endeavoured to apologize for the action, by pretending that it was a casual rencounter, arising from the obstinacy of the Dutch, in refusing the honours of the flag: but the contrary was so well known, that even Holmes himself had not the assurance to persist in this asseveration.

WAR DECLARED WITH HOLLAND.

TILL this incident the States, notwithstanding all the menaces and preparations of the English,

never believed them thoroughly in earnest; and had always expected that the affair would terminate, either in some demands of money, or in some proposals for the advancement of the prince of Orange. The French themselves had never much reckoned on assistance from England; and scarcely could believe that their ambitious projects would, contrary to every maxim of honour and policy, be forwarded by that power which was most interested, and most able to oppose them. But Charles was too far advanced to retreat. He immediately (17th March) issued a declaration of war against the Dutch; and surely reasons more false and frivolous never were employed to justify a flagrant violation of treaty. Some complaints are there made of injuries done to the East-India company, which yet that company disavowed: the detention of some English in Surinam is mentioned; though it appears that these persons had voluntarily remained there: the refusal of a Dutch fleet, on their own coasts, to strike to an English yacht, is much aggravated: and to piece up all these pretensions, some abusive pictures are mentioned, and represented as a ground of quarrel. The Dutch were long at a loss what to make of this article, till it was discovered, that a portrait of Cornelius de Wit, brother to the pensionary, painted by order of certain magistrates of Dort, and hung up in a chamber of the town-house, had given occasion to the complaint. In the perspective of this portrait, the painter had drawn some ships on fire in a harbour. This was construed to be Chatham, where de Wit had really distinguished himself, and had acquired honour; but little did he imagine, that, while the insult itself, committed in open war, had so long been forgiven, the picture of it should draw such severe vengeance upon his country. The conclusion of this manifesto, where the king still professed his resolution of adhering to the triple alliance, was of a piece with the rest of it.

Lewis's declaration of war contained more dignity, if undisguised violence and injustice could merit that appellation. He pretended only, that the behaviour of the Hollanders had been such, that it did not consist with his glory any longer to bear it. That monarch's preparations were in great forwardness; and his ambition was flattered with the most promising views of success. Sweden was detached from the triple league: the bishop of Munster was engaged by the payment of subsidies to take part with France: the elector of Cologne had entered into the same alliance; and having consigned Bonne and other towns into the hands of Lewis, magazines were there erected; and it was from that quarter that France purposed to invade the United Provinces. The standing force of that kingdom amounted to a hundred and eighty thousand men; and with more than half of this great

army was the French king now approaching to the Dutch frontiers. The order, economy, and industry of Colbert, equally subservient to the ambition of the prince, and happiness of the people, furnished unexhausted treasures: these, employed by the unrelenting vigilance of Louvois, supplied every military preparation, and facilitated all the enterprises of the army; Condé, Turenne, seconded by Luxembourg, Crequi, and the most renowned generals of the age, conducted this army, and by their conduct and reputation inspired courage into every one. The monarch himself, surrounded with a brave nobility, animated his troops by the prospect of reward, or, what was more valued, by the hopes of his approbation. The fatigues of war gave no interruption to gaiety: its dangers furnished matter for glory: and in no enterprise did the genius of that gallant and polite people ever break out with more distinguished lustre.

Though de Wit's intelligence in foreign courts was not equal to the vigilance of his domestic administration, he had, long before, received many surmises of this fatal confederacy; but he prepared not for defence so early, or with such industry, as the danger required. A union of England with France was evidently, he saw, destructive to the interests of the former kingdom; and therefore, overlooking, or ignorant of, the humours and secret views of Charles, he concluded it impossible, that such pernicious projects could ever really be carried into execution. Secure in this fallacious reasoning, he allowed the republic to remain too long in that defenceless situation, into which many concurring accidents had conspired to throw her.

WEAKNESS OF THE STATES.

By a continued and successful application to commerce, the people were become unwarlike, and confided entirely for their defence in that mercenary army which they maintained. After the treaty of Westphalia, the States, trusting to their peace with Spain, and their alliance with France, had broken a great part of this army, and did not support with sufficient vigilance the discipline of the troops which remained. When the aristocratic party prevailed, it was thought prudent to dismiss many of the old experienced officers, who were devoted to the house of Orange; and their place was supplied by raw youths, the sons or kinsmen of burgomasters, by whose interest the party was supported. These new officers, relying on the credit of their friends and family, neglected their military duty; and some of them, it is said, were even allowed to serve by deputies, to whom they assigned a small part of their pay. During the war with England, all the forces of that

nation had been disbanded: Lewis's invasion of Flanders, followed by the triple league, occasioned the dismissal of the French regiments: and the place of these troops, which had ever had a chief share in the honour and fortune of all the wars in the Low Countries, had not been supplied by any new levies.

De Wit, sensible of this dangerous situation, and alarmed by the reports which came from all quarters, exerted himself to supply those defects, to which it was not easy of a sudden to provide a suitable remedy. But every proposal, which he could make, met with opposition from the Orange party, now become extremely formidable. The long and uncontrolled administration of this statesman had begotten envy: the present incidents roused up his enemies and opponents, who ascribed to his misconduct alone the bad situation of the republic: and, above all, the popular affection to the young prince, which had so long been held in violent constraint, and had thence acquired new accession of force, began to display itself, and to threaten the commonwealth with some great convulsion. William III. prince of Orange, was in the twenty-second year of his age, and gave strong indications of those great qualities, by which his life was afterwards so much distinguished. De Wit himself, by giving him an excellent education, and instructing him in all the principles of government and sound policy, had generously contributed to make his rival formidable. Dreading the precarious situation of his own party, he was always resolved, he said, by conveying to the prince the knowledge of affairs, to render him capable of serving his country, if any future emergence should ever throw the administration into his hands. The conduct of William had hitherto been extremely laudable. Notwithstanding his powerful alliances with England and Brandenburg, he had expressed his resolution of depending entirely on the States for his advancement; and the whole tenor of his behaviour suited extremely the genius of that people. Silent and thoughtful; given to hear and to inquire; of a sound and steady understanding; firm in what he once resolved, or once denied; strongly intent on business, little on pleasure: by these virtues he engaged the attention of all men. And the people, sensible that they owed their liberty, and very existence, to his family, and remembering that his great uncle, Maurice, had been able, even in more early youth, to defend them against the exorbitant power of Spain, were desirous of raising this prince to all the authority of his ancestors, and hoped, from his valour and conduct alone, to receive protection against those imminent dangers with which they were at present threatened.

While these two powerful factions struggled for superiority, every scheme for defence

was opposed, every project retarded. What was determined with difficulty, was executed without vigour. Levies indeed were made, and the army completed to seventy thousand men:⁷ the prince was appointed both general and admiral of the commonwealth, and the whole military power was put into his hands. But new troops could not of a sudden acquire discipline and experience: and the partisans of the prince were still unsatisfied, as long as the *perpetual edict*, so it was called, remained in force; by which he was excluded from the stadtholdership, and from all share in the civil administration.

It had always been the maxim of de Wit's party to cultivate naval affairs with extreme care, and to give the fleet a preference above the army, which they represented as the object of an unreasonable partiality in the princes of Orange. The two violent wars, which had of late been waged with England, had exercised the valour, and improved the skill, of the sailors. And, above all, de Ruyter, the greatest sea commander of the age, was closely connected with the Louvestein party; and every one was disposed, with confidence and alacrity, to obey him. The equipment of the fleet was therefore hastened by de Wit; in hopes that, by striking at first a successful blow, he might inspire courage into the dismayed States, and support his own declining authority. He seems to have been, in a peculiar manner, in-

ensed against the English; and he resolved to take revenge on them for their conduct, of which, he thought, he himself and his country had such reason to complain. By the offer of a close alliance for mutual defence, they had seduced the republic to quit the alliance of France; but no sooner had she embraced these measures, than they formed leagues for her destruction, with that very power, which they had treacherously engaged her to offend. In the midst of full peace, nay, during an intimate union, they attacked her commerce, her only means of subsistence; and, moved by shameful rapacity, had invaded that property, which, from a reliance on their faith, they had hoped to find unprotected and defenceless. Contrary to their own manifest interest, as well as to their honour, they still retained a malignant resentment for her successful conclusion of the former war; a war which had, at first, sprung from their own wanton insolence and ambition. To repress so dangerous an enemy, would, de Wit imagined, give peculiar pleasure and contribute to the future security of his country, whose prosperity was so much the object of general envy.

BATTLE OF SOLEBAY. May 28.

ACTUATED by like motives and views, de Ruyter put to sea with a formidable fleet, con-

sisting of ninety-one ships of war and forty-four fire-ships. Cornelius de Wit was on board, as deputy from the States. They sailed in quest of the English, who were under the command of the duke of York, and who had already joined the French under mareschal d'Etrées. The combined fleets lay at Solebay in a very negligent posture; and Sandwich, being an experienced officer, had given the duke warning of the danger; but received, it is said, such an answer as intimated, that there was more of caution than of courage in his apprehensions. Upon the appearance of the enemy, every one ran to his post with precipitation, and many ships were obliged to cut their cables, in order to be in readiness. Sandwich commanded the van; and though determined to conquer or to perish, he so tempered his courage with prudence, that the whole fleet was visibly indebted to him for its safety. He hastened out of the bay, where it had been easy for de Ruyter with his fire-ships to have destroyed the combined fleets, which were crowded together; and by this wise measure he gave time to the duke of York, who commanded the main body, and to mareschal d'Etrées, admiral of the rear, to disengage themselves. He himself meanwhile rushed into battle with the Hollanders; and by presenting himself to every danger, had drawn upon him all the bravest of the enemy. He killed Van Ghent, a Dutch admiral, and beat off his ship: he sunk another ship, which ventured to lay him aboard: he sunk three fire-ships, which endeavoured to grapple with him: and though his vessel was torn in pieces with shot, and of a thousand men she contained, near six hundred were laid dead upon the deck, he continued still to thunder with all his artillery in the midst of the enemy. But another fire-ship, more fortunate than the preceding, having laid hold of his vessel, her destruction was now inevitable. Warned by sir Edward Haddock, his captain, he refused to make his escape, and bravely embraced death as a shelter from that ignominy, which a rash expression of the duke's, he thought, had thrown upon him.

During this fierce engagement with Sandwich, de Ruyter remained not inactive. He attacked the duke of York, and fought him with such fury for above two hours, that of two and thirty actions, in which that admiral had been engaged, he declared this combat to be the most obstinately disputed. The duke's ship was so shattered, that he was obliged to leave her, and remove his flag to another. His squadron was overpowered with numbers; till sir Joseph Jordan, who had succeeded to Sandwich's command, came to his assistance; and the fight, being more equally balanced, was continued till night, when the Dutch retired, and were not followed by the English. The loss sustained by the fleets of the two maritime powers was nearly equal, if it did not rather

fall more heavy on the English. The French suffered very little, because they had scarcely been engaged in the action; and as this backwardness is not their national character, it was concluded that they had received secret orders to spare their ships, while the Dutch and English should weaken each other by their mutual animosity. Almost all the other actions during the present war tended to confirm this suspicion.

It might be deemed honourable for the Dutch to have fought with some advantage the combined fleets of two such powerful nations; but nothing less than a complete victory could serve the purpose of de Wit, or save his country from those calamities, which from every quarter threatened to overwhelm her. He had expected, that the French would make their attack on the side of Maestricht, which was well fortified, and provided with a good garrison; but Lewis, taking advantage of his alliance with Cologne, resolved to invade the enemy on that frontier, which he knew to be more feeble and defenceless. The armies of that elector, and those of Munster, appeared on the other side of the Rhine, and divided the force and attention of the States. The Dutch troops too weak to defend so extensive a frontier, were scattered into so many towns, that no considerable body remained in the field; and a strong garrison was scarcely to be found in any fortress. Lewis passed the Meuse at Viset, and laying siege to Orsoi, a town of the elector of Brandenburg's, but garrisoned by the Dutch, he carried it in three days. He divided his army, and invested at once Butik, Wesel, Emerik, and Rhimberg, four places regularly fortified, and not unprovided with troops: in a few days all these places were surrendered. A general astonishment had seized the Hollanders, from the combination of such powerful princes against the republic; and no where was resistance made, suitable to the ancient glory or present greatness of the state. Governors without experience commanded troops without discipline; and despair had universally extinguished that sense of honour, by which alone, men, in such dangerous extremities, can be animated to a valorous defence.

Lewis advanced to the banks of the Rhine (2d June), which he prepared to pass. To all the other calamities of the Dutch was added the extreme drought of the season, by which the greatest rivers were much diminished, and in some places rendered fordable. The French cavalry, animated by the presence of their prince, full of impetuous courage, but routed in exact order, flung themselves into the river: the infantry passed in boats: a few regiments of Dutch appeared on the other side, who were unable to make resistance. And thus was executed without danger, but not without glory, the passage of the Rhine; so much celebrated at that time, by the flattery

of the French courtiers, and transmitted to posterity by the more durable flattery of their poets.

Each success added courage to the conquerors, and struck the vanquished with dismay. The prince of Orange, though prudent beyond his age, was but newly advanced to the command, unacquainted with the army, unknown to them; and all men, by reason of the violent factions which prevailed, were uncertain of the authority on which they must depend. It was expected that the fort of Skink, famous for the sieges which it had formerly sustained, would make some resistance; but it yielded to Turenne in a few days. The same general made himself master of Arnhem, Knotzenbourg, and Nimeguen, as soon as he appeared before them. Doesbourg at the same time opened its gates to Lewis: soon after, Harderwic, Amersfort, Campen, Rhenen, Viane, Elberg, Zwol, Chilenberg, Wageningen, Lochem, Woerden, fell into the enemies' hands. Groll and Deventer surrendered to the marshal Luxembourg, who commanded the troops of Munster. And every hour brought to the States news of the rapid progress of the French, and of the cowardly defence of their own garrisons.

The prince of Orange, with his small and discouraged army, retired into the province of Holland; where he expected, from the natural strength of the country, since all human art and courage failed, to be able to make some resistance. The town and province of Utrecht sent deputies, and surrendered themselves to Lewis. Naerden, a place within three leagues of Amsterdam, was seized by the marquis of Rochfort, and had he pushed on to Muyden, he had easily gotten possession of it. Fourteen stragglers of his army having appeared before the gates of that town, the magistrates sent them the keys; but a servant-maid, who was alone in the castle, having raised the draw-bridge, kept them from taking possession of that fortress. The magistrates afterwards, finding the party so weak, made them drunk, and took the keys from them. Muyden is so near to Amsterdam, that its cannon may infest the ships that enter that city.

Lewis with a splendid court made a solemn entry into Utrecht (25th June), full of glory, because every where attended with success; though more owing to the cowardice and misconduct of his enemies, than to his own valour or prudence. Three provinces were already in his hands, Guelderland, Overijssel, and Utrecht; Groningen was threatened; Friesland was exposed: the only difficulty lay in Holland and Zealand; and the monarch deliberated concerning the proper measures for reducing them. Condé and Turenne exhorted him to dismantle all the towns which he had taken, except a few; and fortifying his main army by the garrisons, put himself in a condi-

tion of pushing his conquests. Louvois, hoping that the other provinces, weak and dismayed, would prove an easy prey, advised him to keep possession of places which might afterwards serve to retain the people in subjection. His counsel was followed; though it was found, soon after, to have been the most impolitic.

• CONSTERNATION OF THE DUTCH.

MEANWHILE the people, throughout the republic, instead of collecting a noble indignation against the haughty conqueror, discharged their rage upon their own unhappy minister, on whose prudence and integrity every one formerly bestowed the merited applause: the bad condition of the armies was laid to his charge: the ill choice of governors was ascribed to his partiality: as instances of cowardice multiplied, treachery was suspected; and his former connexions with France being remembered, the populace believed, that he and his partisans had now combined to betray them to their most mortal enemy. The prince of Orange, notwithstanding his youth and inexperience, was looked on as the only saviour of the state; and men were violently driven by their fears into his party, to which they had always been led by favour and inclination.

Amsterdam alone seemed to retain some courage; and by forming a regular plan of defence, endeavoured to infuse spirit into the other cities. The magistrates obliged the burghesses to keep a strict watch: the populace, whom want of employment might engage to mutiny, were maintained by regular pay, and armed for the defence of the public. Some ships, which lay useless in the harbour, were refitted, and stationed to guard the city: and the sluices being opened, the neighbouring country, without regard to the damage sustained, was laid under water. All the provinces followed the example, and scrupled not, in this extremity, to restore to the sea those fertile fields, which with great art and expence had been won from it.

The States were assembled, to consider whether any means were left to save the remains of their lately flourishing, and now distressed, commonwealth. Though they were surrounded with waters, which barred all access to the enemy, their deliberations were not conducted with that tranquillity, which could alone suggest measures proper to extricate them from their present difficulties. The nobles gave their vote, that, provided their religion, liberty, and sovereignty, could be saved, every thing else should without scruple be sacrificed to the conqueror. Eleven towns concurred in the same sentiments. Amsterdam singly declared against all treaty with insolent and triumphant enemies: but notwithstanding that opposition, ambassadors were dispatched to

implore the pity of the two combined monarchs. It was resolved to sacrifice to Lewis Maestricht, and all the frontier towns which lay without the bounds of the seven provinces; and to pay him a large sum for the charges of the war.

Lewis deliberated with his ministers Louvois and Pomponne, concerning the measures which he should embrace in the present emergency; and fortunately for Europe, he still preferred the violent counsels of the former. He offered to evacuate his conquests, on condition that all duties lately imposed on the commodities of France should be taken off. That the public exercise of the Romish religion should be permitted in the United Provinces; the churches shared with the catholics; and their priests maintained by appointments from the States: that all the frontier towns of the republic should be yielded to him, together with Nimeguen, Skink, Knotzenbourg, and that part of Guelderland which lay on the other side of the Rhine; as likewise the isle of Bommel, that of Voorn, the fortress of St. Andrew, those of Louvestein and Crevecoeur: that the States should pay him the sum of twenty millions of livres for the charges of the war: that they should every year send him a solemn embassy, and present him with a golden medal as an acknowledgment that they owed to him the preservation of that liberty which, by the assistance of his predecessors, they had formerly acquired: and that they should give entire satisfaction to the king of England: and he allowed them but ten days for the acceptance of these demands.

The ambassadors sent to London, met with still worse reception: no minister was allowed to treat with them; and they were retained in a kind of confinement. But, notwithstanding this rigorous conduct of the court, the presence of the Dutch ambassadors excited the sentiments of tender compassion, and even indignation, among the people in general, especially among those who could foresee the aim and result of those dangerous counsels. The two most powerful monarchs, they said, in Europe, the one by land, the other by sea, have, contrary to the faith of solemn treaties, combined to exterminate an illustrious republic: what a dismal prospect does their success afford to the neighbours of the one, and to the subjects of the other? Charles had formed the triple league, in order to restrain the power of France: a sure proof, that he does not now err from ignorance. He had courted and obtained the applauses of his people by that wise measure: as he now adopts contrary counsels, he must surely expect by their means to render himself independent of his people, whose sentiments are become so indifferent to him. During the entire submission of the nation, and dutiful behaviour of the parliament, dangerous projects, without provocation, are

formed to reduce them to subjection; and all the foreign interests of the people are sacrificed in order the more surely to bereave them of their domestic liberties. Lest any instance of freedom should remain within their view, the United Provinces, the real barrier of England, must be abandoned to the most dangerous enemy of England; and by an universal combination of tyranny against laws and liberty, all mankind, who have retained, in any degree, their precious, though hitherto precarious, birth-rights, are for ever to submit to slavery and injustice.

Though the fear of giving umbrage to his confederate had engaged Charles to treat the Dutch ambassadors with such rigour, he was not altogether without uneasiness, on account of the rapid and unexpected progress of the French arms. Were Holland entirely conquered, its whole commerce and naval force, he perceived, must become an accession to France; the Spanish Low Countries must soon follow; and Lewis, now independent of his ally, would no longer think it his interest to support him against his discontented subjects. Charles, though he never carried his attention to very distant consequences, could not but foresee these obvious events; and, though incapable of envy or jealousy, he was touched with anxiety, when he found every thing yield to the French arms, while such vigorous resistance was made to his own. He soon dismissed the Dutch ambassadors, lest they should cabal among his subjects, who bore them great favour: but he sent over Buckingham and Arlington, and soon after lord Halifax, to negotiate anew with the French king in the present prosperous situation of that monarch's affairs.

These ministers passed through Holland; and as they were supposed to bring peace to the distressed republic, they were every where received with the loudest acclamations. "God bless the king of England! God bless the prince of Orange! Confusion to the States!" This was every where the cry of the populace. The ambassadors had several conferences with the States and the prince of Orange; but made no reasonable advances towards an accommodation. They went to Utrecht, where they renewed the league with Lewis, and agreed that neither of the kings should make peace with Holland but by common consent. They next gave in their pretensions, of which the following are the principal articles: that the Dutch should give up the honour of the flag, without the least reserve or limitation; nor should whole fleets, even on the coast of Holland, refuse to strike or lower their topsails to the smallest ship, carrying the British flag: that all persons guilty of treason against the king, or of writing seditious libels, should, on complaint, be banished for ever the do-

minions of the States: that the Dutch should pay the king a million sterling towards the charges of the war, together with ten thousand pounds a-year, for permission to fish on the British seas: that they should share the Indian trade with the English: that the prince of Orange and his descendants should enjoy the sovereignty of the United Provinces; at least, that they should be invested with the dignities of stadtholder, admiral, and general, in as ample a manner as had ever been enjoyed by any of his ancestors: and that the isle of Walcheren, the city and castle of Sluis, together with the isles of Cadsant, Goree, and Vorne, should be put into the king's hands, as a security for the performance of articles.

The terms proposed by Lewis bereaved the republic of all security against any invasion by land from France: those demanded by Charles exposed them equally to an invasion by sea from England: and when, both were united, they appeared absolutely intolerable, and reduced the Hollanders, who saw no means of defence, to the utmost despair. What extremely augmented their distress, were the violent factions with which they continued to be every where agitated. De Wit, too pertinacious in defence of his own system of liberty, while the very being of the commonwealth was threatened, still persevered in opposing the repeal of the perpetual edict, now become the object of horror to the Dutch populace. Their rage at last broke all bounds, and bore every thing before it. They rose in an insurrection at Dort (30th June), and by force constrained their burgomasters to sign the repeal, so much demanded. This proved a signal of a general revolt throughout all the provinces.

PRINCE OF ORANGE STADTHOLDER.

At Amsterdam, the Hague, Middlebourg, Rotterdam, the people flew to arms, and, trampling under foot the authority of their magistrates, obliged them to submit to the prince of Orange. They expelled from their office such as displeased them: they required the prince to appoint others in their place: and agreeably to the proceedings of the populace in all ages, provided they might wreak their vengeance on their superiors, they expressed great indifference for the protection of their civil liberties.

The superior talents and virtues of de Wit made him, on this occasion, the chief object of envy, and exposed him to the utmost rage of popular prejudice. Four assassins, actuated by no other motive than mistaken zeal, had assaulted him in the streets, and after giving him many wounds, had left him for dead. One of them was punished: the others were never questioned for the crime. His brother,

Cornelius, who had behaved with prudence and courage on board the fleet, was obliged by sickness to come ashore; and he was now confined to his house at Dort. Some assassins broke in upon him; and it was with the utmost difficulty that his family and servants could repel their violence. At Amsterdam, the house of the brave de Ruyter, the sole resource of the distressed commonwealth, was surrounded by the enraged populace; and his wife and children were for some time exposed to the most imminent danger.

One Tichelaer, a barber, a man noted for infamy, accused Cornelius de Wit of endeavouring by bribes to engage him in the design of poisoning the prince of Orange. The accusation, though attended with the most improbable, and even absurd circumstances, was greedily received by the credulous multitude; and Cornelius was cited before a court of judicature. The judges, either blinded by the same prejudices, or not daring to oppose the popular torrent, condemned him to suffer the question. This man, who had bravely served his country in war, and who had been invested with the highest dignities, was delivered into the hands of the executioner, and torn in pieces by the most inhuman torments. Amidst the severe agonies which he endured, he still made protestations of his innocence, and frequently repeated an ode of Horace, which contained sentiments suited to his deplorable condition:

Justum et tenacem propositi virum, &c. 8

MASSACRE OF THE DE WITS.

THE judges, however, condemned him to lose his offices, and to be banished the commonwealth. The pensionary, who had not been terrified from performing the part of a kind brother and faithful friend during this prosecution, resolved not to desert him on account of the unmerited infamy which was endeavoured to be thrown upon him. He came to his brother's prison, determined to accompany him to the place of his exile. The signal was given to the populace. They rose in arms: they broke open the doors of the prison; they pulled out the two brothers; and a thousand hands vied who should first be imbrued in their blood. Even their death did not satiate the brutal rage of the multitude. They exercised on the dead bodies of those virtuous citizens, indignities too shocking to be recited: and till tired with their own fury, they permitted not the friends of the deceased to approach, or to bestow on them the honours of a funeral, silent and unattended.

GOOD CONDUCT OF THE PRINCE.

THE massacre of the de Wits put an end for the time to the remains of their party; and

all men, from fear, inclination, or prudence, concurred in expressing the most implicit obedience to the prince of Orange. The republic, though half subdued by foreign force, and as yet dismayed by its misfortunes, was now firmly united under one leader, and began to collect the remains of its pristine vigour. William, worthy of that heroic family from which he sprang, adopted sentiments becoming the head of a brave and free people. He bent all his efforts against the public enemy: he sought not against his country any advantages which might be dangerous to civil liberty. Those intolerable conditions demanded by their insolent enemies, he exhorted the States to reject with scorn; and by his advice they put an end to negotiations, which served only to break the courage of their fellow-citizens, and delay the assistance of their allies. He showed them, that the numbers and riches of the people, aided by the advantages of situation, would still be sufficient, if they abandoned not themselves to despair, to resist, at least retard, the progress of their enemies, and preserve the remaining provinces, till the other nations of Europe, sensible of the common danger, could come to their relief. He represented that, as envy at their opulence and liberty produced this mighty combination against them, they would in vain expect any concessions to satisfy foes, whose pretensions were as little bounded by moderation as by justice. He exhorted them to remember the generous valour of their ancestors, who, yet in the infancy of the state, preferred liberty to every human consideration; and rousing their spirits to an obstinate defence, repelled all the power, riches, and military discipline of Spain. And he professed himself willing to tread in the steps of his illustrious predecessors, and hoped that, as they had honoured him with the same affection which their ancestors paid to the former princes of Orange, they would second his efforts with the same constancy and manly fortitude.

The spirit of the young prince infused itself into his hearers. Those who lately entertained thoughts of yielding their necks to subjection were now bravely determined to resist the haughty victor, and to defend those last remains of their native soil, of which neither the irruptions of Lewis, nor the inundation of waters, had as yet bereaved them. Should even the ground fail them on which they might combat, they were still resolved not to yield the generous strife; but, flying to their settlements in the Indies, erect a new empire in those remote regions, and preserve alive, even in the climates of slavery, that liberty of which Europe was become unworthy. Already they concerted measures for executing this extraordinary resolution; and found that the vessels contained in their harbours could transport

above two hundred thousand inhabitants to the East Indies.

The combined princes, finding at last some appearance of opposition, bent all their efforts to seduce the prince of Orange, on whose valour and conduct the fate of the commonwealth entirely depended. The sovereignty of the province of Holland was offered him, and the protection of England and France, to ensure him as well against the invasion of foreign enemies, as the insurrection of his subjects. All proposals were generously rejected; and the prince declared his resolution to retire into Germany, and to pass his life in hunting on his lands there, rather than abandon the liberty of his country, or betray the trust reposed in him. When Buckingham urged the inevitable destruction which hung over the United Provinces, and asked him, whether he did not see that the commonwealth was ruined? *There is one certain means, replied the prince, by which I can be sure never to see my country's ruin: I will die in the last ditch.*

The people in Holland had been much incited to espouse the prince's party, by the hopes that the king of England, pleased with his nephew's elevation, would abandon those dangerous engagements into which he had entered, and would afford his protection to the distressed republic. But all these hopes were soon found to be fallacious. Charles still persisted in his alliance with France; and the combined fleets approached the coast of Holland, with an English army on board, commanded by count Schomberg. It is pretended that an unusual tide carried them off the coast; and that Providence thus interposed, in an extraordinary manner, to save the republic from the imminent danger to which it was exposed. Very tempestuous weather, it is certain, prevailed all the rest of the season; and the combined fleets either were blown to a distance, or durst not approach a coast which might prove fatal to them. Lewis, finding that his enemies gathered courage behind their inundations, and that no farther success was likely for the present to attend his arms, had retired to Versailles.

The other nations of Europe regarded the subjection of Holland as the forerunner of their own slavery, and retained no hopes of defending themselves, should such a mighty accession be made to the already exorbitant power of France. The emperor, though he lay at a distance, and was naturally slow in his undertakings, began to put himself in motion; and Brandenburg showed a disposition to support the States; Spain had sent some forces to their assistance; and by the present efforts of the prince of Orange, and the prospect of relief from their allies, a different face of affairs began already to appear. Groningen was the first place that stopped the progress

of the enemy: the bishop of Munster was repulsed from before that town, and obliged to raise the siege with loss and dishonour. Naerden was attempted by the prince of Orange; but mareschal Luxemburgh, breaking in upon his intrenchments with a sudden irruption, obliged him to abandon the enterprise.

A PARLIAMENT. Feb. 4, 1673.

THERE was no ally on whom the Dutch more relied for assistance than the parliament of England, which the king's necessities at last obliged him to assemble. The eyes of all men, both abroad and at home, were fixed on this session, which met after prorogations continued for near two years. It was evident how much the king dreaded the assembling of his parliament; and the discontents universally excited by the bold measures entered into, both in foreign and domestic administration, had given but too just foundation for his apprehensions.

The king, however, in his speech, addressed them with all the appearance of cordiality and confidence. He said, that he would have assembled them sooner, had he not been desirous to allow them leisure for attending their private affairs, as well as to give his people respite from taxes and impositions: that since their last meeting, he had been forced into a war, not only just but necessary; necessary both for the honour and interest of the nation: that in order to have peace at home, while he had war abroad, he had issued his declaration of indulgence to dissenters, and had found many good effects result from that measure: that he heard of some exceptions which had been taken to this exercise of power; but he would tell them plainly, that he was resolved to stick to his declaration; and would be much offended at any contradiction: and that though a rumour had been spread, as if the new levied army had been intended to control law and property, he regarded that jealousy as so frivolous, that he was resolved to augment his forces next spring, and did not doubt but they would consider the necessity of them in their supplies. The rest of the business he left to the chancellor.

The chancellor enlarged on the same topics, and added many extraordinary positions of his own. He told them, that the Hollanders were the common enemies of all monarchies, especially that of England, their only competitor for commerce and naval power, and the sole obstacle to their views of attaining an universal empire, as extensive as that of ancient Rome: that, even during their present distress and danger, they were so intoxicated with these ambitious projects, as to slight all treaty, nay, to refuse all cessation of hostilities: that the king, in entering on this war,

lid no more than prosecute those maxims which had engaged the parliament to advise and approve of the last; and he might therefore safely say, that *it was their war*: that the States being the eternal enemies of England, both by interest and inclination, the parliament had wisely judged it necessary to extirpate them, and had laid it down as an eternal maxim, that *delenda est Carthago*, this hostile government by all means is to be subverted: and that though the Dutch pretended to have assurances that the parliament would furnish no supplies to the king, he was confident that this hope, in which they extremely trusted, would soon fail them.

Before the commons entered upon business, there lay before them an affair, which discovered, beyond a possibility of doubt, the arbitrary projects of the king; and the measures taken upon it proved that the house was not at present in a disposition to submit to them. It had been the constant undisputed practice, ever since the parliament in 1604, for the house, in case of any vacancy, to issue out writs for new elections; and the chancellor, who, before that time, had had some precedents in his favour, had ever afterwards abstained from all exercise of that authority. This indeed was one of the first steps which the commons had taken in establishing and guarding their privileges; and nothing could be more requisite than this precaution, in order to prevent the clandestine issuing of writs, and to ensure a fair and free election. No one but so desperate a minister as Shaftesbury, who had entered into a regular plan for reducing the people to subjection, could have entertained thoughts of breaking in upon a practice so reasonable and so well established, or could have hoped to succeed in so bold an enterprise. Several members had taken their seats upon irregular writs issued by the chancellor; but the house was no sooner assembled, and the speaker placed in the chair, than a motion was made against them; and the members themselves had the modesty to withdraw. Their election was declared null; and new writs in the usual form were issued by the speaker.

The next step taken by the commons had the appearance of some more complaisance; but in reality proceeded from the same spirit of liberty and independence. They entered a resolution, that, in order to supply his majesty's extraordinary occasions, for that was the expression employed, they would grant eighteen months' assessment, at the rate of 70,000 pounds a month, amounting in the whole to 1,260,000 pounds. Though unwilling to come to a violent breach with the king, they would not express the least approbation of the war; and they gave him the prospect of this supply, only that they might have permission to

proceed peaceably in the redress of the other grievances, of which they had such reason to complain.

No grievance was more alarming, both on account of the secret views from which it proceeded, and the consequences which might attend it, than the declaration of indulgence. A remonstrance was immediately framed against that exercise of prerogative. The king defended his measure. The commons persisted in their opposition to it; and they represented, that such a practice, if admitted, might tend to interrupt the free course of the laws, and alter the legislative power, which had always been acknowledged to reside in the king and the two houses. All men were in expectation with regard to the issue of this extraordinary affair. The king seemed engaged in honour to support his measure; and in order to prevent all opposition, he had positively declared that he would support it. The commons were obliged to persevere, not only because it was dishonourable to be foiled, where they could plead such strong reasons, but also because, if the king prevailed in his pretensions, an end seemed to be put to all the legal limitations of the constitution.

It is evident that Charles was now come to that delicate crisis which he ought at first to have foreseen, when he embraced those desperate counsels; and his resolutions in such an event, ought long ago to have been entirely fixed and determined. Besides his usual guards, he had an army encamped at Blackheath, under the command of mareschal Schomberg, a foreigner; and many of the officers were of the catholic religion. His ally, the French king, he might expect, would second him, if force became requisite for restraining his discontented subjects, and supporting the measures which, by common consent, they had agreed to pursue. But the king was startled, when he approached so dangerous a precipice, as that which lay before him. Were violence once offered, there could be no return, he saw, to mutual confidence and trust with his people; the perils attending foreign succours, especially from so mighty a prince, were sufficiently apparent; and the success which his own arms had met with in the war, was not so great as to increase his authority, or terrify the malcontents from opposition. The desire of power, likewise, which had engaged Charles in these precipitate measures, had less proceeded, we may observe, from ambition, than from love of ease. Strict limitations of the constitution rendered the conduct of business complicated and troublesome; and it was impossible for him without much contrivance and intrigue, to procure the money necessary for his pleasures, or even for the regular support of government. When the prospect, therefore, of such dangerous opposition presented itself, the same love of ease in-

clined him to retract what it seemed so difficult to maintain; and his turn of mind, naturally pliant and careless, made him find little objection to a measure which a more haughty prince would have embraced with the utmost reluctance. That he might yield with the better grace, he asked the opinion of the house of peers, who advised him to comply with the commons. Accordingly the king sent for the declaration, and with his own hands broke the seals. The commons expressed the utmost satisfaction with this measure, and the most entire duty to his majesty. Charles assured them that he would willingly pass any law offered him, which might tend to give them satisfaction in all their just grievances.

Shaftesbury, when he found the king recede at once from so capital a point, which he had publicly declared his resolution to maintain, concluded that all schemes for enlarging royal authority were vanished, and that Charles was utterly incapable of pursuing such difficult and such hazardous measures. The parliament, he foresaw, might push their inquiries into those counsels, which were so generally odious; and the king from the same facility of disposition, might abandon his ministers to their vengeance. He resolved, therefore, to make his peace in time with that party which was likely to predominate, and to atone for all his violences in favour of monarchy, by like violences in opposition to it. Never turn was more sudden, or less calculated to save appearances. Immediately, he entered into all the cabals of the country party; and discovered to them, perhaps magnified, the arbitrary designs of the court, in which he himself had borne so deep a share. He was received with open arms by that party, who stood in need of so able a leader; and no questions were asked with regard to his late apostasy. The various factions into which the nation had been divided, and the many sudden revolutions to which the public had been exposed, had tended much to debase the minds of men, and to destroy the sense of honour and decorum in their public conduct.

But the parliament, though satisfied with the king's compliance, had not lost all those apprehensions, to which the measures of the court had given so much foundation. A law passed for imposing a test on all who should enjoy any public office. Besides taking the oaths of allegiance and supremacy, and receiving the sacrament in the established church; they were obliged to abjure all belief in the doctrine of transubstantiation. As the dissenters had seconded the efforts of the commons against the king's declaration of indulgence, and seemed resolute to accept of no toleration in an illegal manner, they had acquired great favour with the parliament; and a project was adopted to unite the whole protestant interest

against the common enemy, who now began to appear formidable. A bill passed the commons for the ease and relief of the protestant non-conformists; but met with some difficulties, at least delays, in the house of peers.

The resolution for supply was carried into a law; as a recompence to the king for his concessions. An act, likewise, of general pardon and indemnity was passed, which screened the ministers from all farther inquiry. The parliament probably thought, that the best method of reclaiming the criminals was to show them that their case was not desperate. Even the remonstrance, which the commons voted of their grievances, may be regarded as a proof, that their anger was, for the time, somewhat appeased. None of the capital points are there touched on; the breach of the triple league, the French alliance, or the shutting up of the exchequer. The sole grievances mentioned are, an arbitrary imposition on coals for providing convoys, the exercise of martial law, the quartering and pressing of soldiers; and they prayed, that, after the conclusion of the war, the whole army should be disbanded. The king gave them a gracious, though an evasive answer. When business was finished, the two houses adjourned themselves.

Though the king had receded from his declaration of indulgence (29th March), and thereby had tacitly relinquished the dispensing power, he was still resolved, notwithstanding his bad success, both at home and abroad, to persevere in his alliance with France, and in the Dutch war, and consequently in all those secret views, whatever they were, which depended on those fatal measures. The money, granted by parliament, sufficed to equip a fleet of which prince Rupert was declared admiral; for the duke was set aside by the test. Sir Edward Sprague and the earl of Ossory commanded under the prince. A French squadron joined them, commanded by d'Estrées. The combined fleets set sail towards the coast of Holland (28th May), and found the enemy, lying at anchor, within the sands at Schonvelt. There is a natural confusion attending sea-fights, even beyond other military transactions, derived from the precarious operations of winds and tides, as well as from the smoke and darkness in which every thing is there involved. No wonder, therefore, that accounts of those battles are apt to contain uncertainties and contradictions; especially when delivered by writers of the hostile nations, who take pleasure in exalting the advantages of their own countrymen, and depressing those of the enemy. All we can say with certainty of this battle is, that both sides boasted of the victory; and we may thence infer, that the event was not decisive. The Dutch, being near home, retired into their harbours. In a week they were refitted

and presented themselves again to the combined fleets. A new action ensued (4th June), not more decisive than the foregoing. It was not fought with great obstinacy on either side; but whether the Dutch or the allies first retired, seems to be a matter of uncertainty. The loss in the former of these actions fell chiefly on the French, whom the English, diffident of their intentions, took care to place under their own squadrons; and they thereby exposed them to all the fire of the enemy. There seems not to have been a ship lost on either side in the second engagement.

It was sufficient glory to de Ruyter, that, with a fleet much inferior to the combined squadrons of France and England, he could fight them without any notable disadvantage; and it was sufficient victory, that he could defeat the project of a descent in Zealand, which, had it taken place, had endangered, in the present circumstances, the total overthrow of the Dutch commonwealth. Prince Rupert was also suspected not to favour the king's projects for subduing Holland, or enlarging his authority at home; and from these motives, he was thought not to have pressed so hard on the enemy, as his well-known valour gave reason to expect. It is indeed remarkable, that, during this war, though the English, with their allies, much over-matched the Hollanders, they were not able to gain any advantage over them; while, in the former war, though often overcome by numbers, they still exerted themselves with the greatest courage, and always acquired great renown, sometimes even signal victories. But they were disgusted at the present measures, which they deemed pernicious to their country; they were not satisfied in the justice of the quarrel; and they entertained a perpetual jealousy of their confederates, whom, had they been permitted, they would with much more pleasure, have destroyed, than even the enemy themselves.

If prince Rupert was not favourable to the designs of the court, he enjoyed as little favour from the court, at least from the duke, who, though he could no longer command the fleet, still possessed the chief authority in the admiralty. The prince complained of a total want of every thing, powder, shot, provisions, beer, and even water; and he went into harbour, that he might refit his ships, and supply their numerous necessities. After some weeks he was refitted, and he again put to sea. The hostile fleets met at the mouth of the Texel, and fought the last battle (11th Aug.), which, during the course of so many years, these neighbouring maritime powers have disputed with each other. De Ruyter, and under him Tromp, commanded the Dutch in this action, as in the two former: for the prince of Orange had reconciled these gallant rivals; and they retained nothing of their former animosity,

except that emulation, which made them exert themselves with more distinguished bravery against the enemies of their country. Brankert was opposed to d'Etrées, de Ruyter to prince Rupert, Tromp to Sprague. It is to be remarked, that in all actions these brave admirals last mentioned had still selected each other, as the only antagonists worthy each other's valour; and no decisive advantage had as yet been gained by either of them. They fought in this battle as if there were no mean between death and victory.

D'Etrées and all the French squadron, except rear-admiral Martel, kept at a distance, and Brankert, instead of attacking them, bore down to the assistance of de Ruyter, who was engaged in furious combat with prince Rupert. On no occasion did the prince acquire more deserved honour: his conduct, as well as valour, shone out with signal lustre. Having disengaged his squadron from the numerous enemies with whom he was every where surrounded, and having joined sir John Chicheley, his rear-admiral, who had been separated from him, he made haste to the relief of Sprague, who was hard pressed by Tromp's squadron. The Royal Prince, in which Sprague first engaged, was so disabled, that he was obliged to hoist his flag on board the *St. George*; while Tromp was for a like reason obliged to quit his ship, the *Golden Lion*, and go on board the *Comet*. The fight was renewed with the utmost fury by these valorous rivals, and by the rear-admirals, their seconds. Osborn, rear-admiral to Sprague, was preparing to board Tromp, when he saw the *St. George* terribly torn and in a manner disabled. Sprague was leaving her, in order to hoist his flag on board a third ship, and return to the charge; when a shot, which had passed through the *St. George*, took his boat, and sunk her. The admiral was drowned, to the great regret of Tromp himself, who bestowed on his valour the deserved praises.

Prince Rupert found affairs in this dangerous situation, and saw most of the ships in Sprague's squadron disabled from fight. The engagement however was renewed, and became very close and bloody. The prince threw the enemy into disorder. To increase it, he sent among them two fire-ships; and at the same time made a signal to the French to bear down; which, if they had done, a decisive victory must have ensued. But the prince, when he saw that they neglected the signal, and observed that most of his ships were in no condition to keep the sea long, wisely provided for their safety by making easy sail towards the English coast. The victory in this battle was as doubtful as in all the actions fought during the present war.

The turn which the affairs of the Hollanders took by land, was more favourable. The prince

of Orange besieged and took Naerden; and from this success gave his country reason to hope for still more prosperous enterprises. Montecuculi, who commanded the Imperialists on the Upper Rhine, deceived, by the most artful conduct, the vigilance and penetration of Turenne, and making a sudden march, sat down before Bonne. The prince of Orange's conduct was no less masterly; while he eluded all the French generals, and leaving them behind him, joined his army to that of the Imperialists. Bonne was taken in a few days: several other places in the electorate of Cologne fell into the hands of the allies: and the communication being thus cut off between France and the United Provinces, Lewis was obliged to recall his forces, and to abandon all his conquests, with greater rapidity than he had at first made them. The taking of Maestricht was the only advantage which he gained this campaign.

CONGRESS OF COLOGNE.

A CONGRESS was opened at Cologne, under the mediation of Sweden; but with small hopes of success. The demands of the two kings were such as must have reduced the Hollanders to perpetual servitude. In proportion as the affairs of the States rose, the kings sunk in their demands; but the States still sunk lower in their offers; and it was found impossible for the parties ever to agree on any conditions. After the French evacuated Holland, the congress broke up; and the seizure of prince William of Frustenburg by the Imperialists afforded the French and English a good pretence for leaving Cologne. The Dutch ambassadors, in their memorials, expressed all the haughtiness and disdain, so natural to a free state, which had met with such unmerited ill usage.

A PARLIAMENT. Oct. 20.

THE parliament of England was now assembled, and discovered much greater symptoms of ill humour than had appeared in the last session. They had seen for some time a negotiation of marriage carried on between the duke of York and the archduchess of Inspruce, a catholic of the Austrian family; and they had made no opposition. But when that negotiation failed, and the duke applied to a princess of the house of Modena, then in close alliance with France; this circumstance, joined to so many other grounds of discontent, raised the commons into a flame, and they remonstrated with the greatest zeal against the intended marriage. The king told them, that their remonstrance came too late; and that the marriage was already agreed on, and even celebrated by proxy. The commons still in-

sisted; and proceeding to the examination of the other parts of government, they voted the standing army a grievance, and declared, that they would grant no more supply, unless it appeared, that the Dutch were so obstinate as to refuse all reasonable conditions of peace. To cut short these disagreeable attacks, the king resolved to prorogue the parliament (4th Nov.); and with that intention he came unexpectedly into the house of peers, and sent the usher to summon the commons. It happened that the speaker and the usher nearly met at the door of the house; but the speaker being within, some of the members suddenly shut the door, and cried, *To the chair, to the chair*; while others cried, *The black rod is at the door*. The speaker was hurried to the chair; and the following motions were instantly made: that the alliance with France is a grievance; that the evil counsellors about the king are a grievance; that the duke of Lauderdale is a grievance, and not fit to be trusted or employed. There was a general cry, *To the question, to the question*: but the usher knocking violently at the door, the speaker leaped from the chair, and the house rose in great confusion.

During the interval, Shaftesbury, whose intrigues with the malcontent party were now become notorious, was dismissed from the office of chancellor; and the great seal was given to sir Heneage Finch, by the title of lord-keeper. The test had incapacitated Clifford; and the white staff was conferred on sir Thomas Osborne, soon after created earl of Danby, a minister of abilities, who had risen by his parliamentary talents. Clifford retired into the country, and soon after died.

1674. The parliament had been prorogued, in order to give the duke leisure to finish his marriage; but the king's necessities soon obliged him again to assemble them; and by some popular acts he paved the way for the session (7th Feb.). But all his efforts were in vain. The disgust of the commons was fixed in foundations too deep to be easily removed. They began with applications for a general fast; by which they intimated, that the nation was in a very calamitous condition: they addressed against the king's guards, which they represented as dangerous to liberty, and even as illegal, since they never had yet received the sanction of parliament: they took some steps towards establishing a new and more rigorous test against popery: and what chiefly alarmed the court, they made an attack on the members of the cabal, to whose pernicious counsels they imputed all their present grievances. Clifford was dead: Shaftesbury had made his peace with the country party, and was become their leader: Buckingham was endeavouring to imitate Shaftesbury; but his intentions were as yet known to very few. A motion was therefore made in the house of commons for his impeachment: he desired to be heard at the bar;

but expressed himself in so confused and ambiguous a manner, as gave little satisfaction. He was required to answer precisely to certain queries, which they proposed to him. These regarded all the articles of misconduct above mentioned; and among the rest, the following query seems remarkable: "By whose advice was the army brought up to overawe the debates and resolutions of the house of commons?" This shows to what length the suspicions of the house were at that time carried. Buckingham, in all his answers, endeavoured to exculpate himself, and to load Arlington. He succeeded not in the former intention: the commons voted an address for his removal. But Arlington, who was on many accounts obnoxious to the house, was attacked. Articles were drawn up against him, though the impeachment was never prosecuted.

PEACE WITH HOLLAND.

The king plainly saw that he could expect no supply from the commons for carrying on a war so odious to them. He resolved therefore to make a separate peace with the Dutch, on the terms which they had proposed through the channel of the Spanish ambassador. With a cordiality, which, in the present disposition on both sides, was probably not affected, but which was obliging, he asked advice of the parliament. The parliament unanimously concurred, both in thanks for this gracious concession, and in their advice for peace. Peace was accordingly concluded. The honour of the flag was yielded to the Dutch, in the most extensive terms: a regulation of trade was agreed on; and possessions were restored to the same condition as before the war: the English planters in Surinam were allowed to remove at pleasure: and the States agreed to pay to the king the sum of eight hundred thousand patacoons, near three hundred thousand pounds. Four days after the parliament was prorogued, the peace was proclaimed in London (28th Feb.) to the great joy of the people. Spain had declared that she could no longer remain neuter, if hostilities were continued against Holland; and a sensible decay of trade was foreseen, in case a rupture should ensue with that kingdom. The prospect of this loss contributed very much to increase the national aversion to the present war, and to enliven the joy for its conclusion.

There was in the French service a great body of English, to the number of ten thousand men, who had acquired honour in every action, and had greatly contributed to the successes of Lewis. These troops, Charles said, he was bound by treaty not to recall; but he obliged himself to the States by a secret article, not to allow them to be recruited. His partiality to France prevented a strict execution of this engagement.

NOTES.

Mr. Carte, in his *Vindication of the Answer to the Byrander*, p. 93, says, that the sale of the fee-farm rents would not yield above one hundred thousand pounds, and his reasons appear well-founded.

2 D'Estrades, 21st July, 1667.

3 Temple, vol. ii. p. 179.

4 This year, on the 3rd of January, died George Monk, duke of Albemarle, at Newhall in Essex, after a languishing illness, and in the sixty-third year of his age. He left a great estate of 15,000*l.* a year in land, and 60,000*l.* in money, acquired by the bounty of the king, and increased by his own frugality in his later years. Bishop Burnet, who, agreeably to his own factious spirit, treats this illustrious personage with great malignity, reproaches him with avarice: but as he appears not to have been in the least tainted with rapacity, his frugal conduct may more candidly be imputed to the habits acquired in early life while he was possessed of a very narrow fortune. It is indeed a singular proof of the strange power of faction, that any malignity should pursue the memory of a nobleman, the tenor of whose life was so unexceptionable, and who, by restoring the ancient and legal and free government to three

kingdoms, plunged in the most destructive anarchy, may safely be said to be the subject in these islands, who, since the beginning of time, rendered this durable and most essential services to his native country. The means also, by which he achieved his great undertakings, were almost entirely unexceptionable. His temporary dissimulation, being absolutely necessary, could scarcely be blameworthy. He had received no trust from parliament whom he dethroned; therefore could betray none: he even refused to carry his dissimulation so far as to take the oath of abjuration against the king. I confess, however, that the Rev. Dr. Douglas has shown me, from the Clarendon papers, an original letter of his to sir Arthur Hazelrigg, containing very earnest,

zeal for a commonwealth. It is to be lamented that so worthy a man, and of

sound it necessary to carry his dissimulation to such a height. His family ended with his son.

5 Carte's Ormond, vol. ii. p. 325.

6 England's Appeal, p. 22. This year, on the 12th of November, died, in his re-

treat, and in the 60th year Thomas lord Fairfax, who many great actions, without morable personage, and allo

prised, with the best and most upright intentions. His daughter and heir was married to George Villiers duke of Buckingham.

7 Temple, vol. i. p. 75.

Which be thus translated:
The bent,

one greatly good intent,

With

Serene beholds the sun

Nor can this clamours, fiercer and loud,

His stubborn honour tame

Nor the proud tyrant's fiercest threat,

Nor storms, that from their dark retreat

The laurels surge awake,

Nor Jove's great bolt that shakes the pole

The firmer purpose of his soul

With all its power can shake.

Should Nature's frame in ruins fall,

And Chaos o'er the sinking ball

Resume primordial sway,

His courage chance and fate defies,

Nor feels the wreck of earth and skies

Oblivion not its destin'd way

Blacklock

CHAPTER LXVI.

Schemes of the Cabal.—Remonstrances of sir William Temple.—Campaign of 1674.—A Parliament.—Passive Obedience.—A Parliament.—Campaign of 1675.—Congress of Nimeguen.—Campaign of 1676.—Uncertain Conduct of the King.—A Parliament.—Campaign of 1677.—Parliament's distrust of the King.—Marriage of the Prince of Orange with the Lady Mary.—Plan of Peace.—Negotiations.—Campaign of 1678.—Negotiations.—Peace of Nimeguen.—State of Affairs in Scotland.

SCHEMES OF THE CABAL.

IF we consider the projects of the famous Cabal, it will appear hard to determine, whether the end which those ministers pursued were more blamable and pernicious, or the means, by which they were to effect it, more impolitic and imprudent. Though they might talk only of recovering or fixing the king's authority; their intention could be no other than that of making him absolute: since it was not possible to regain or maintain, in opposition to the people, any of those powers of the crown abolished by late law or custom, without subduing the people, and rendering the royal prerogative entirely uncontrollable. Against such a scheme, they might foresee, that every part of the nation would declare themselves, not only the old parliamentary faction, which though they kept not in a body, were still numerous; but even the greatest royalists, who were indeed attached to monarchy, but desired to see it limited and restrained by law. It had appeared, that the present parliament, though elected during the greatest prevalence of the royal party, was yet tenacious of popular privileges, and retained a considerable jealousy of the crown, even before they had received any just ground of suspicion. The guards, therefore, together with a small army, new levied, and undisciplined, and composed too of Englishmen, were almost the only domestic resources which the king could depend on in the prosecution of these dangerous counsels.

The assistance of the French king was, no doubt, deemed, by the Cabal, a considerable support in the schemes which they were forming; but it is not easily conceived, that they could imagine themselves capable of directing and employing an associate of so domineering a character. They ought justly to have suspected that it would be the sole intention of Lewis, as it evidently was his interest, to raise incurable jealousies between the king and his people; and that he saw how much a steady uniform government in this island, whether free or absolute, would form invincible barriers to his ambition. Should his assistance be demanded; if he sent a small supply, it would serve only to enrage the people, and render the breach altogether irreparable; if he fur-

nished a great force, sufficient to subdue the nation, there was little reason to trust his generosity, with regard to the use which he would make of this advantage.

In all its other parts the plan of the Cabal, it must be confessed, appears equally absurd and incongruous. If the war with Holland were attended with great success, and involved the subjection of the republic; such an accession of force must fall to Lewis, not to Charles; and what hopes afterwards of resisting by the greatest unanimity so mighty a monarch? How dangerous, or rather how ruinous, to depend upon his assistance against domestic discontents? If the Dutch, by their own vigour, and the assistance of allies, were able to defend themselves, and could bring the war to an equality, the French arms would be so employed abroad, that no considerable reinforcement could thence be expected to second the king's enterprises in England. And might not the project of overawing or subduing the people be esteemed, of itself, sufficiently odious, without the aggravation of sacrificing that State, which they regarded as their best ally, and with which, on many accounts, they were desirous of maintaining the greatest concord and strictest confederacy?

Whatever views likewise might be entertained of promoting by these measures the catholic religion, they could only tend to render all the other schemes abortive, and make them fall with inevitable ruin upon the projectors. The catholic religion, indeed, where it is established, is better fitted than the protestant for supporting an absolute monarchy; but would any man have thought of it as the means of acquiring arbitrary authority in England, where it was more detested than even slavery itself?

It must be allowed, that the difficulties, and even inconsistencies, attending the schemes of the Cabal, are so numerous and obvious, that one feels at first an inclination to deny the reality of those schemes, and to suppose them entirely the chimeras of calumny and faction. But the utter impossibility of accounting, by any other hypothesis, for those strange measures embraced by the court, as well as for the numerous circumstances which accompanied them, obliges us to acknowledge (though there

remains no direct evidence of it)¹ that a formal plan was laid for changing the religion, and subverting the constitution of England, and that the king and the ministry were in reality conspirators against the people. What is most probable in human affairs, is not always true; and a very minute circumstance, overlooked in our speculations, serves often to explain events, which may seem the most surprising and unaccountable. Though the king possessed penetration and a sound judgment, his capacity was chiefly fitted for smaller matters,² and the ordinary occurrences of life; nor had he application enough to carry his view to distant consequences, or digest and adjust any plan of political operations. As he scarcely ever thought twice on any one subject, every appearance of advantage was apt to seduce him; and when he found his way obstructed by unlooked for difficulties, he readily turned aside into the first path, where he expected more to gratify the natural indolence of his disposition. To this versatility or phauzy of genius, he himself was inclined to trust; and he thought, that after trying an experiment for enlarging his authority, and altering the national religion, he could easily, if it failed, return into the ordinary channel of government. But the suspicions of the people, though they burst not forth at once, were by this attempt scattered altogether incurable; and the more they reflected on the circumstances attending it, the more resentment and jealousy were they apt to entertain. They observed that the king never had any favourite; that he was never governed by his ministers, scarcely even by his mistresses; and that he himself was the chief spring of all public councils. Whatever appearance, therefore, of a change might be assumed, they still suspected, that the same project was secretly in agitation; and they deemed no precaution too great to secure them against the pernicious consequences of such measures.

The king, sensible of this jealousy, was inclined thenceforth not to trust his people, of whom he had even before entertained a great diffidence; and, though obliged to make a separate peace, he still kept up connexions with the French monarch. He apologized for deserting his ally, by representing to him all the real undissembled difficulties under which he laboured; and Lewis, with the greatest complaisance and good humour, admitted the validity of his excuses. The duke likewise, conscious that his principles and conduct had rendered him still more obnoxious to the people, maintained on his own account a separate correspondence with the French court, and entered into particular connexions with Lewis, which these princes dignified with the name of friendship. The duke had only in view to secure his succession, and favour the catholics; and it must be acknowledged, to his

praise, that, though his schemes were, in some particulars, dangerous to the people, they gave the king no just ground of jealousy. A dutiful subject and an affectionate brother, he knew no other rule of conduct than obedience; and the same unlimited submission which afterwards, when king, he exacted of his people, he was ever willing, before he ascended the throne, to pay to his sovereign.

REMONSTRANCES OF SIR W. TEMPLE.

As the king was at peace with all the world, and almost the only prince in Europe placed in that agreeable situation, he thought proper to offer his mediation to the contending powers, in order to compose their differences. France, willing to negotiate under so favourable a mediator, readily accepted of Charles's offer; but it was apprehended, that, for a like reason, the allies would be inclined to refuse it. In order to give a sanction to his new measures, the king invited Temple from his retreat, and appointed him ambassador to the States. That wise minister, reflecting on the unhappy issue of his former undertakings, and the fatal turn of counsels which had occasioned it, resolved, before he embarked anew, to acquaint himself, as far as possible, with the real intentions of the king, in those popular measures which he seemed again to have adopted. After blaming the dangerous schemes of the Cabal, which Charles was desirous to excuse, he told his majesty very plainly, that he would find it extremely difficult, if not absolutely impossible, to introduce into England the same system of government and religion which was established in France: that the universal bent of the nation was against both; and it required ages to change the genius and sentiments of a people: that many, who were at bottom indifferent in matters of religion, would yet oppose all alterations on that head; because they considered that nothing but force of arms could subdue the reluctance of the people against popery; after which they knew there could be no security for civil liberty: that in France every circumstance had long been adjusted to that system of government, and tended to its establishment and support: that the commonalty, being poor and dispirited, were of no account; the nobility, engaged by the prospect of possession of numerous offices, civil and military, were entirely attached to the court; the ecclesiastics, retained by like motives, added the sanction of religion to the principles of civil policy: that in England a great part of the landed property belonged either to the yeomanry or middling gentry; the king had few offices to bestow; and could not himself even subsist, much less maintain an army, except by the voluntary supplies of his parliament: that if he had an army on

foot, yet if composed of Englishmen, they would never be prevailed on to promote ends which the people so much feared and hated: that the Roman-catholics in England were not the hundredth part of the nation, and in Scotland not the two hundredth; and it seemed against all common sense to hope, by one part, to govern ninety-nine, who were of contrary sentiments and dispositions: and that foreign troops, if few, would tend only to inflame hatred and discontent; and how to raise and bring them over at once, or to maintain many, it was very difficult to imagine. To these reasonings Temple added the authority of Gourville, a Frenchman, for whom he knew the king had entertained a great esteem. "A king of England," said Gourville, "who will be *the man of his people*, is the greatest king in the world: but if he will be any thing more, he is nothing at all." The king heard, at first, this discourse with some impatience; but being a dextrous dissembler, he seemed moved at last, and laying his hand on Temple's, said with an appearing cordiality, "And I will be the man of my people."

Temple, when he went abroad, soon found that the scheme of mediating a peace was likely to prove abortive. The allies, beside their jealousy of the king's mediation, expressed a great ardour for the continuance of war. Holland had stipulated with Spain never to come to an accommodation, till all things in Flanders were restored to the condition in which they had been left by the Pyrenean treaty. The emperor had high pretensions in Alsace; and as the greater part of the empire joined in the alliance, it was hoped that France, so much overmatched in force, would soon be obliged to submit to the terms demanded of her. The Dutch, indeed, oppressed by heavy taxes, as well as checked in their commerce, were desirous of peace; and had few or no claims of their own to retard it; but they could not in gratitude, or even in good policy, abandon allies, to whose protection they had so lately been indebted for their safety. The prince of Orange likewise, who had great influence in their councils, was all on fire for military fame, and was well pleased to be at the head of armies, from which such mighty successes were expected. Under various pretences, he eluded, during the whole campaign, the meeting with Temple; and after the troops were sent into winter-quarters he told that minister, in his first audience, that till greater impressions were made on France, reasonable terms could not be hoped for: and it were therefore vain to negotiate.

CAMPAIGN IN 1674.

THE success of the campaign had not answered expectation. The prince of Orange,

with a superior army, was opposed in Flanders to the prince of Condé, and had hoped to penetrate into France by that quarter, where the frontier was then very feeble. After long endeavouring, though in vain, to bring Condé to a battle, he rashly exposed, at Seneffe, a wing of his army; and that active prince failed not at once to see and to seize the advantage. But this imprudence of the prince of Orange was amply compensated by his behaviour in that obstinate and bloody action which ensued. He rallied his dismayed troops; he led them to the charge; he pushed the veteran and martial troops of France; and he obliged the prince of Condé, notwithstanding his age and character, to exert greater efforts, and to risque his person more than in any action, where, even during the heat of youth, he had ever commanded. After sunset, the action was continued by the light of the moon; and it was darkness at last, not the weariness of the combatants which put an end to the contest, and left the victory undecided. "The prince of Orange," said Condé, with candour and generosity, "has acted, in every thing, like an old captain, except venturing his life too like a young soldier." Oudenarde was afterwards invested by the prince of Orange; but he was obliged, by the Imperial and Spanish generals, to raise the siege on the approach of the enemy. He afterwards besieged and took Grave; and at the beginning of winter, the allied armies broke up, with great discontents and complaints on all sides.

The allies were not more successful in other places. Lewis, in a few weeks, reconquered Franche-comte. In Alsace, Turenne displayed, against a much superior enemy, all that military skill, which had long rendered him the most renowned captain of his age and nation. By a sudden and forced march, he attacked and beat at Sintzheim the duke of Lorraine and Caprara, general of the Imperialists. Seventy thousand Germans poured into Alsace, and took up their quarters in that province. Turenne, who had retired into Lorraine, returned unexpectedly upon them. He attacked and defeated a body of the enemy at Mulhausen. He chased from Colmar the elector of Brandenburg, who commanded the German troops. He gained a new advantage at Turkheim. And having dislodged all the allies, he obliged them to repossess the Rhine, full of shame for their multiplied defeats and still more of anger and complaints against each other.

In England, all these events were considered by the people with great anxiety and concern; though the king and his ministers affected great indifference with regard to them. Considerable alterations were about this time made in the English ministry. Buckingham was dismissed, who had long, by his wit and entertaining humour, possessed the king's favour.

Arlington, now chamberlain, and Danby the treasurer, possessed chiefly the king's confidence. Great hatred and jealousy took place between these ministers; and public affairs were somewhat disturbed by their quarrels. But Danby daily gained ground with his master: and Arlington declined in the same proportion. Danby was a frugal minister; and by his application and industry, he brought the revenue into tolerable order. He endeavoured so to conduct himself as to give offence to no party; and the consequence was, that he was able entirely to please none. He was a declared enemy to the French alliance; but never possessed authority enough to overcome the prepossessions which the king and the duke retained towards it. It must be ascribed to the prevalence of that interest, aided by money remitted from Paris, that the parliament was assembled so late this year; lest they should attempt to engage the king in measures against France, during the ensuing campaign. They met not till the approach of summer.³

A PARLIAMENT. *April 13, 1675.*

EVERY step, taken by the commons, discovered that ill-humour and jealousy, to which the late open measures of the king, and his present secret attachments, gave but too just foundation. They drew up a new bill against popery, and resolved to insert in it many severe clauses for the detection and prosecution of priests: they presented addresses a second time against Lauderdale; and when the king's answer was not satisfactory, they seemed still determined to persevere in their applications: an accusation was moved against Danby; but upon examining the several articles, it was not found to contain any just reasons of a prosecution; and was therefore dropped: they applied to the king for recalling his troops from the French service; and as he only promised that they should not be recruited, they appeared to be much dissatisfied with the answer: a bill was brought in, making it treason to levy money without authority of parliament: another vacating the seats of such members as accepted of offices: another to secure the personal liberty of the subject, and to prevent sending any person prisoner beyond sea.

PASSIVE OBEDIENCE.

THAT the court-party might not be idle during these attacks, a bill for a new test was introduced into the house of peers by the earl of Lindsey. All members of either house, and all who possessed any office, were by this bill required to swear, that it was not lawful, upon any pretence whatsoever, to take arms against the king; that they abhorred the

traitorous position, of taking arms by his authority against his person, or against those who were commissioned by him; and that they will not at any time endeavour the alteration of the protestant religion, or of the established government either in church or state.

Great opposition was made to this bill; as might be expected from the present disposition of the nation. During seventeen days, the debates were carried on with much zeal; and all the reason and learning of both parties were displayed on the occasion. The question, indeed, with regard to resistance, was a point which entered into the controversies of the old parties, cavalier and roundhead; as it made an essential part of the present disputes between court and country. Few neutrals were found in the nation: but among such as could maintain a calm indifference, there prevailed sentiments wide of those which were adopted by either party. Such persons thought that all general speculative declaration of the legislature, either for or against resistance, were equally impolitic, and could serve to no other purpose than to signalize in their turn the triumph of one faction over another: that the simplicity retained in the ancient laws of England, as well as in the laws of every other country, ought still to be preserved, and was best calculated to prevent the extremes on either side: that the absolute exclusion of resistance, in all possible cases, was founded on false principles; its express admission might be attended with dangerous consequences; and there was no necessity for exposing the public to either inconvenience: that if a choice must necessarily be made in the case, the preference of utility to truth in public institutions was apparent; nor could the supposition of resistance beforehand, and in general terms, be safely admitted in any government: that even in mixed monarchies, where that supposition seemed most requisite, it was yet entirely superfluous; since no man, on the approach of extraordinary necessity, could be at a loss, though not directed by legal declarations, to find the proper remedy: that even those who might at a distance, and by scholastic reasoning, exclude all resistance, would yet hearken to the voice of nature; when evident ruin both to themselves and to the public must attend a strict adherence to their pretended principles: that the question, as it ought thus to be entirely excluded from all determinations of the legislature, was, even among private reasoners, somewhat frivolous, and little better than a dispute of words: that the one party could not pretend that resistance ought ever to become a familiar practice; the other would surely have recourse to it in great extremities: and thus the difference could only turn on the degrees of danger or oppression, which would warrant this irregular

remedy; a difference, which, in a general question, it was impossible, by any language, precisely to fix or determine.

There were many other absurdities in this test, particularly that of binding men by oath not to alter the government either in church or state; since all human institutions are liable to abuse, and require continual amendments, which are, in reality, so many alterations. It is not indeed possible to make a law which does not innovate, more or less, in the government. These difficulties produced such obstructions to the bill, that it was carried only by two voices in the house of peers. All the popish lords, headed by the earl of Bristol, voted against it. It was sent down to the house of commons, where it was likely to undergo a scrutiny still more severe.

But a quarrel, which ensued between the two houses, prevented the passing of every bill projected during the present session. One Dr. Shirley, being cast in a law-suit before chancery against sir John Pag, a member of the house of commons, preferred a petition of appeal to the house of peers. The lords received it, and summoned Pag to appear before them. He complained to the lower house, who espoused his cause. They not only maintained, that no member of their house could be summoned before the peers; they also asserted that the upper house could receive no appeals from any court of equity; a pretension which extremely retrenched the jurisdiction of the peers, and which was contrary to the practice that had prevailed during this whole century. The commons send Shirley to prison; the lords assert their powers. Conferences are tried; but no accommodation ensues. Four lawyers are sent to the Tower by the commons, for transgressing the orders of the house, and pleading in this cause before the peers. The peers denounce this arbitrary commitment a breach of the great charter, and order the lieutenant of the Tower to release the prisoners: he declines obedience: they apply to the king, and desire him to punish the lieutenant for his contempt. The king summons both houses; exhorts them to unanimity; and informs them that the present quarrel had arisen from the contrivance of his and their enemies, who expected by that means to force a dissolution of the parliament. His advice had no effect: the commons continue as violent as ever; and the king finding that no business could be finished, at last prorogued the parliament (8th June).

When the parliament was again assembled (13th Oct.) there appeared not in any respect a change in the dispositions of either house. The king desired supplies, as well for the building of ships, as for taking off anticipations which lay upon his revenue. He even confessed, that he had not been altogether so frugal as he might have been, and as he re-

solved to be for the future; though he asserted that, to his great satisfaction, he had found his expences by no means so exorbitant as some had represented them. The commons took into consideration the subject of supply. They voted 300,000 pounds for the building of ships; but they appropriated the sum by very strict clauses. They passed a resolution not to grant any supply for taking off the anticipations of the revenue.⁴ This vote was carried in a full house, by a majority of four only: so nearly were the parties balanced. The quarrel was revived, to which Dr. Shirley's cause had given occasion. The proceedings of the commons discovered the same violence as during the last session. A motion was made in the house of peers, but rejected, for addressing the king to dissolve the present parliament. The king contented himself with proroguing them to a very long term (22nd Nov.) Whether these quarrels between the houses arose from contrivance or accident was not certainly known. Each party might, according to their different views, esteem themselves either gainers or losers by them. The court might desire to obstruct all attacks from the commons, by giving them other employment. The country party might desire the dissolution of a parliament, which, notwithstanding all disgusts, still contained too many royalists to serve all the purposes of the malcontents.

Soon after the prorogation, there passed an incident, which in itself is trivial, but tends strongly to mark the genius of the English government, and of Charles's administration, during this period. The liberty of the constitution, and the variety as well as violence of the parties, had begotten a propensity for political conversation; and as the coffee-houses in particular were the scenes, where the conduct of the king and the ministry was canvassed with great freedom, a proclamation was issued to suppress these places of rendezvous. Such an act of power, during former reigns, would have been grounded entirely on the prerogative; and before the accession of the house of Stuart no scruple would have been entertained with regard to that exercise of authority. But Charles, finding doubts to arise upon his proclamation, had recourse to the judges, who supplied him with a chicane, and that too a frivolous one, by which he might justify his proceedings. The law, which settled the excise, enacted, that licences for retailing liquors might be refused to such as could not find security for payment of the duties. But coffee was not a liquor subjected to excise; and even this power of refusing licences was very limited, and could not reasonably be extended beyond the intention of the act. The king, therefore, observing the people to be much dissatisfied, yielded to a petition of the coffee-men, who promised for the future to restrain all seditious

discourse in their houses; and the proclamation was recalled.

CAMPAIGN OF 1675.

THIS campaign proved more fortunate to the confederates than any other during the whole war. The French took the field in Flanders with a numerous army; and Lewis himself served as a volunteer under the prince of Condé. But notwithstanding his great preparations, he could gain no advantages but the taking of Huy and Limbourg, places of small consequence. The prince of Orange, with a considerable army, opposed him in all his motions; and neither side was willing, without a visible advantage, to hazard a general action, which might be attended either with the entire loss of Flanders on the one hand, or the invasion of France on the other. Lewis, tired of so inactive a campaign, returned to Versailles; and the whole summer passed in the Low Countries without any memorable event.

Turenne commanded on the Upper Rhine, in opposition to his great rival Montecuculi, general of the Imperialists. The object of the latter was to pass the Rhine, to penetrate into Alsace, Lorraine or Burgundy, and to fix his quarters in these provinces: the aim of the former was to guard the French frontiers, and to disappoint all the schemes of his enemy. The most consummate skill was displayed on both sides; and if any superiority appeared in Turenne's conduct, it was chiefly ascribed to his greater vigour of body, by which he was enabled to inspect all the posts in person, and could on the spot take the justest measures for the execution of his designs. By posting himself on the German side of the Rhine, he not only kept Montecuculi from passing that river: he had also laid his plan in so masterly a manner, that, in a few days, he must have obliged the Germans to decamp, and have gained a considerable advantage over them; when a period was put to his life, by a random shot, which struck him on the breast as he was taking a view of the enemy. The consternation of his army was inexpressible. The French troops, who, a moment before, were assured of victory, now considered themselves as entirely vanquished; and the Germans, who would have been glad to compound for a safe retreat, expected no less than the total destruction of their enemy. But de Lorges, nephew to Turenne, succeeded him in the command, and possessed a great share of the genius and capacity of his predecessor. By his skillful operations, the French were enabled to repass the Rhine, without considerable loss; and this retreat was deemed equally glorious with the greatest victory. The valour of the English troops, who were placed in the rear, greatly contributed to save the French army.

They had been seized with the same passion as the native troops of France, for their brave general, and fought with ardour to revenge his death on the Germans. The duke of Marlborough, then captain Churchill, here learned the rudiments of that art, which he afterwards practised with such fatal success against France.

The prince of Condé left the army in Flanders under the command of Luxembourg; and carrying with him a considerable reinforcement, succeeded to Turenne's command. He defended Alsace from the Germans, who had passed the Rhine, and invaded that province. He obliged them first to raise the siege of Hagenau, then that of Saverne. He eluded all their attempts to bring him to a battle. And having dexterously prevented them from establishing themselves in Alsace, he forced them, notwithstanding their superiority of numbers, to repass the Rhine, and to take up winter quarters in their own country.

After the death of Turenne, a detachment of the German army was sent to the siege of Treves—an enterprise, in which the Imperialists, the Spaniards, the Palatine, the duke of Lorraine, and many other princes, passionately concurred. The project was well concerted, and executed with vigour. Mareschal Créquy, on the other hand, collected an army, and advanced with a view of forcing the Germans to raise the siege. They left a detachment to guard their lines, and, under the command of the dukes of Zell and Osnaburgh, marched in quest of the enemy. At Consarbric, they fell unexpectedly, and with superior numbers, on Créquy, and put him to rout. He escaped with four attendants only; and throwing himself into Treves, resolved, by a vigorous defence, to make atonement for his former error or misfortune. The garrison was brave, but not abandoned to that total despair by which their governor was actuated. They mutinied against his obstinacy; capitulated for themselves; and because he refused to sign the capitulation, they delivered him a prisoner into the hands of the enemy.

It is remarkable that this defeat, given to Créquy, is almost the only one which the French received at land, from Rocroi to Blenheim, during the course of above sixty years; and these too full of bloody wars against potent and martial enemies: their victories almost equal the number of years during that period. Such was the vigour and good conduct of that monarchy! And such too were the resources and refined policy of the other European nations, by which they were enabled to repair their losses, and still to confine that mighty power nearly within its ancient limits! A fifth part of these victories would have sufficed, in another period, to have given to France the empire of Europe.

The Swedes had been engaged, by the payment of large subsidies, to take part with Lewis, and invade the territories of the elector of Brandenburg in Pomerania. That elector, joined by some Imperialists from Silesia, fell upon them with bravery and success. He soon obliged them to evacuate his part of that country, and he pursued them into their own. He had an interview with the king of Denmark, who had now joined the confederates, and resolved to declare war against Sweden. These princes concerted measures for pushing the victory.

To all these misfortunes against foreign enemies were added some domestic insurrections of the common people in Guienne and Brittany. Though soon suppressed, they divided the force and attention of Lewis. The only advantage gained by the French was at sea. Messina, in Sicily, had revolted; and a fleet under the duke de Vivonne was dispatched to support the rebels. The Dutch had sent a squadron to assist the Spaniards. A battle ensued, where de Ruyter was killed. This event alone was thought equivalent to a victory.

The French, who, twelve years before, had scarcely a ship of war in any of their harbours, had raised themselves, by means of perseverance and policy, to be, in their present force, though not in their resources, the first maritime power in Europe. The Dutch, while in alliance with them against England, had supplied them with several vessels, and had taught them the rudiments of the difficult art of ship-building. The English next, when in alliance with them against Holland, instructed them in the method of fighting their ships, and of preserving order in naval engagements. Lewis availed himself of every opportunity to aggrandize his people, while Charles, sunk in indolence and pleasure, neglected all the noble arts of government; or if at any time he roused himself from his lethargy, that industry, by reason of the unhappy projects which he embraced, was often more pernicious to the public than his inactivity itself. He was as anxious to promote the naval power of France, as if the safety of his crown had depended on it; and many of the plans executed in that kingdom, were first, it is said, digested and corrected by him.

CONGRESS OF NIMEGUEN. 1676.

THE successes of the allies had been considerable the last campaign; but the Spaniards and Imperialists well knew that France was not yet sufficiently broken, nor willing to submit to the terms which they resolved to impose upon her. Though they could not refuse the king's mediation, and Nimeguen, after many difficulties, was at last fixed on as the place of congress; yet, under one pretence or other,

they still delayed sending their ambassadors, and no progress was made in the negotiation. Lord Berkeley, sir William Temple, and sir Lionel Jenkins, were the English ministers at Nimeguen. The Dutch, who were impatient for peace, soon appeared: Lewis, who hoped to divide the allies, and who knew that he himself could neither be seduced nor forced into a disadvantageous peace, sent ambassadors: the Swedes, who hoped to recover by treaty what they had lost by arms, were also forward to negotiate. But as these powers could not proceed of themselves to settle terms, the congress, hitherto, served merely as an amusement to the public.

CAMPAIGN OF 1676.

IT was by the events of the campaign, not the conferences among the negotiators, that the articles of peace were to be determined. The Spanish towns, ill fortified and worse defended, made but a feeble resistance to Lewis; who, by laying up magazines during the winter, was able to take the field early in the spring, before the forage could be found in the open country. In the month of April he laid siege to Condé, and took it by storm in four days. Having sent the duke of Orleans to besiege Bouchaine, a small but important fortress, he posted himself so advantageously with his main army, as to hinder the confederates from relieving it, or fighting without disadvantage. The prince of Orange, in spite of the difficulties of the season, and the want of provisions, came in sight of the French army; but his industry served to no other purpose than to render him spectator of the surrender of Bouchaine. Both armies stood in awe of each other, and were unwilling to hazard an action, which might be attended with the most important consequences. Lewis, though he wanted not personal courage, was little enterprising in the field; and being resolved this campaign to rest contented with the advantages which he had so early obtained, he thought proper to intrust his army to marshal Schomberg, and retired himself to Versailles. After his departure, the prince of Orange laid siege to Maestricht; but meeting with an obstinate resistance, he was obliged, on the approach of Schomberg, who in the mean time had taken Aire, to raise the siege. He was incapable of yielding to adversity, or bending under misfortunes: but he began to foresee, that, by the negligence and errors of his allies, the war in Flanders must necessarily have a very unfortunate issue.

On the Upper Rhine, Philipsbourg was taken by the Imperialists. In Pomerania, the Swedes were so unsuccessful against the Danes and Brandenburgers, that they seemed to be losing apace all those possessions, which, with so much

valour and good fortune, they had acquired in Germany.

About the beginning of winter, the congress of Nimègueu was pretty full, and the plenipotentiaries of the emperor and Spain, two powers strictly conjoined by blood and alliance, at last appeared. The Dutch had threatened, if they absented themselves any longer, to proceed to a separate treaty with France. In the conferences and negotiations, the disposition of the parties became every day more apparent.

1677. The Hollanders, loaded with debts and harassed with taxes, were desirous of putting an end to a war, in which, besides the disadvantages attending all leagues, the weakness of the Spaniards, the divisions and delays of the Germans, prognosticated nothing but disgrace and misfortune. Their commerce languished; and what gave them still greater anxiety, the commerce of England, by reason of her neutrality, flourished extremely; and they were apprehensive, lest advantages, once lost, would never thoroughly be regained. They had themselves no farther motive for continuing the war, than to secure a good frontier to Flanders; but gratitude to their allies still engaged them to try whether another campaign might procure a peace, which would give general satisfaction. The prince of Orange, urged by motives of honour, of ambition, and of animosity against France, endeavoured to keep them steady to this resolution.

The Spaniards, not to mention the other incurable weaknesses into which their monarchy was fallen, were distracted with domestic dissensions between the parties of the queen regent and don John, natural brother to their young sovereign. Though unable of themselves to defend Flanders, they were resolute not to conclude a peace, which would leave it exposed to every assault or inroad, and while they made the most magnificent promises to the States, their real trust was in the protection of England. They saw that, if that small but important territory were once subdued by France, the Hollanders, exposed to so terrible a power, would fall into dependance, and would endeavour, by submissions, to ward off that destruction to which a war, in the heart of their state, must necessarily expose them. They believed that Lewis, sensible how much greater advantages he might reap from the alliance than from the subjection of the republic, which must scatter its people and depress its commerce, would be satisfied with very moderate conditions, and would turn his enterprises against his other neighbours. They thought it impossible but the people and parliament of England, foreseeing these obvious consequences, must at last force the king to take part in the affairs of the continent, in which

their interests were so deeply concerned. And they trusted, that even the king himself on the approach of so great a danger, must open his eyes, and sacrifice his prejudices in favour of France, to the safety of his own dominions.

UNCERTAIN CONDUCT OF THE KING.

BUT Charles here found himself entangled in such opposite motives and engagements, as he had not resolution enough to break, or patience to unravel. On the one hand, he always regarded his alliance with France as a sure resource in case of any commotions among his own subjects, and whatever schemes he might still retain for enlarging his authority, or altering the established religion, it was from that quarter alone he could expect assistance. He had actually in secret sold his neutrality to France, and he received remittances of a million of livres a-year, which was afterwards increased to two millions; a considerable supply in the present embarrassed state of his revenue. And he dreaded lest the parliament should treat him as they had formerly done his father; and after they had engaged him in a war on the continent, should take advantage of his necessities, and make him purchase supplies by sacrificing his prerogative and abandoning his ministers.

On the other hand, the cries of his people and parliament, seconded by Danby, Arlington, and most of his ministers, incited him to take part with the allies, and to correct the unequal balance of power in Europe. He might apprehend danger from opposing such earnest desires: he might hope for large supplies if he concurred with them: and however inglorious and indolent his disposition, the renown of acting as arbiter of Europe would probably at intervals rouse him from his lethargy, and move him to support the high character with which he stood invested.

It is worthy of observation, that, during this period, the king was, by every one, abroad and at home, by France and by the allies, allowed to be the undisputed arbiter of Europe; and no terms of peace, which he would have prescribed, could have been refused by either party, though France afterwards found means to resist the same alliance, joined with England; yet was she then obliged to make such violent efforts as quite exhausted her; and it was the utmost necessity which pushed her to find resources, far surpassing her own expectations. Charles was sensible, that, so long as the war continued abroad, he should never enjoy ease at home, from the impatience and importunity of his subjects; yet could he not resolve to impose a peace by openly joining himself with either party. Terms advantageous to the allies must lose him the friendship of France: the contrary would enrage his parliament. Between

these views, he perpetually fluctuated; and from his conduct, it is observable, that a careless, remiss disposition, agitated by opposite motives, is capable of as great inconsistencies as are incident even to the greatest imbecility and folly.

A PARLIAMENT. Feb. 15.

THE parliament was assembled; and the king made them a plausible speech, in which he warned them against all differences among themselves: expressed a resolution to do his part for bringing their consultations to a happy issue; and offered his consent to any laws for the farther security of their religion, liberty, and property. He then told them of the decayed condition of the navy; and asked money for repairing it: he informed them, that part of his revenue, the additional excise, was soon to expire: and he added these words,—“You may at any time see the yearly established expence of the government, by which it will appear, that the constant and unavoidable charge being paid, there will remain no overplus towards answering those contingencies, which may happen in all kingdoms, and which have been a considerable burden on me this last year.”

Before the parliament entered upon business, they were stopped by a doubt concerning the legality of their meeting. It had been enacted by an old law of Edward III. “That parliaments should be held once every year, or oftener, if need be.” The last prorogation had been longer than a year; and being supposed on that account illegal, it was pretended to be equivalent to a dissolution. The consequence seems by no means just; and besides, a later act, that which repealed the triennial law, had determined, that it was necessary to hold parliaments only once in three years. Such weight, however, was put on this cavil, that Buckingham, Shaftesbury, Salisbury, and Wharton, insisted strenuously in the house of peers on the invalidity of the parliament, and the nullity of all its future acts. For such dangerous positions, they were sent to the Tower, there to remain during the pleasure of his majesty and the house. Buckingham, Salisbury, and Wharton, made submissions, and were soon after released. But Shaftesbury, more obstinate in his temper, and desirous of distinguishing himself by his adherence to liberty, sought the remedy of law; and being rejected by the judges, he was, at last, after a twelvemonth's imprisonment, obliged to make the same submissions; upon which he was also released.

The commons at first seemed to proceed with temper. They granted the sum of 586,000 pounds, for building thirty ships; though they strictly appropriated the money to that service

Estimates were given in of the expence; but it was afterwards found that they fell short near 100,000 pounds. They also voted, agreeably to the king's request, the continuance of the additional excise for three years. This excise had been granted for nine years in 1668. Every thing seemed to promise a peaceful and an easy session.

1 CAMPAIGN OF 1677.

BUT the parliament was roused from this tranquillity by the news received from abroad. The French king had taken the field in the middle of February, and laid siege to Valenciennes, which he carried in a few days by storm. He next invested both Cambray and St. Omers. The prince of Orange, alarmed with his progress, hastily assembled an army, and marched to the relief of St. Omers. He was encountered by the French, under the duke of Orleans and mareschal Luxembourg. The prince possessed great talents for war; courage, activity, vigilance, patience; but still he was inferior in genius to those consummate generals opposed to him by Lewis; and though he always found means to repair his losses, and to make head in a little time against the victors, he was, during his whole life, unsuccessful. By a masterly movement of Luxembourg, he was here defeated, and obliged to retreat to Ypres. Cambray and St. Omers were soon after surrendered to Lewis.

This success, derived from such great power and such wise conduct, infused a just terror into the English parliament. They addressed the king, representing the danger to which the kingdom was exposed from the greatness of France, and praying, that his majesty, by such alliances as he should think fit, would both secure his own dominions and the Spanish Netherlands, and thereby quiet the fears of his people. The king, desirous of eluding this application, which he considered as a kind of attack on his measures, replied in general terms, that he would use all means for the preservation of Flanders, consistent with the peace and safety of his kingdoms. This answer was an evasion, or rather a denial. The commons, therefore, thought proper to be more explicit. They entreated him not to defer the entering into such alliances as might attain that great end: and in case war with the French king should be the result of his measures, they promised to grant him all the aids and supplies, which would enable him to support the honour and interest of the nation. The king was also more explicit in his reply. He told them, that the only way to prevent danger, was to put him in a condition to make preparations for their security. This message was understood to be a demand of money. The parliament accordingly empowered the

king to borrow on the additional excise 200,000 pounds at seven per cent.—a very small sum indeed; but which they deemed sufficient, with the ordinary revenue, to equip a good squadron, and thereby put the nation in security, till farther resolutions should be taken.

But this concession fell far short of the king's expectations. He therefore informed them, that, unless they granted him the sum of 600,000 pounds upon new funds, it would not be possible for him, without exposing the nation to manifest danger, *to speak or act those things*, which would answer the end of their several addresses. The house took this message into consideration: but before they came to any resolution, the king sent for them to Whitehall, where he told them, upon the word of a king, that they should not repent any trust which they would repose in him for the safety of his kingdom; that he would not for any consideration break credit with them, or employ their money to other uses than those for which they intended it; but that he would not hazard either his own safety or theirs, by taking any vigorous measures, or forming new alliances, till he were in a better condition both to defend his subjects and offend his enemies. This speech brought affairs to a short issue. The king required them to trust him with a large sum: he pawned his royal word for their security: they must either run the risk of losing their money, or fail of those alliances which they had projected, and at the same time declare to all the world the highest distrust of their sovereign.

PARLIAMENT'S DISTRUST OF THE KING.

BUT there were many reasons which determined the house of commons to put no trust in the king. They considered, that the presence of danger was obviously groundless, while the French were opposed by such powerful alliances on the continent, while the king was master of a good fleet at sea, and while all his subjects were so heartily united in opposition to foreign enemies. That the only justifiable reason, therefore, of Charles's backwardness, was not the apprehension of danger from abroad, but a diffidence, which he might perhaps have entertained of his parliament; lest, after engaging in foreign alliances for carrying on war, they should take advantage of his necessities, and extort from him concessions dangerous to his royal dignity. That this parliament, by their past conduct, had given no foundation for such suspicions, and were so far from pursuing any sinister ends, that they had granted supplies for the first Dutch war; for maintaining the triple league, though concluded without their advice; even for carrying on the second Dutch

war, which was entered into contrary to their opinion, and contrary to the manifest interests of the nation. That, on the other hand, the king had, by former measures, excited very reasonable jealousies in his people, and did with a bad grace require at present their trust and confidence. That he had not scrupled to demand supplies for maintaining the triple league, at the very moment he was concerting measures for breaking it, and had accordingly employed to that purpose the supplies which he had obtained by those delusive pretences. That his union with France, during the war against Holland, must have been founded on projects the most dangerous to his people; and as the same union was still secretly maintained, it might justly be feared that the same projects were not yet entirely abandoned. That he could not seriously intend to prosecute vigorous measures against France; since he had so long remained entirely unconcerned during such obvious dangers; and, till prompted by his parliament, whose proper business it was not to take the lead in those parts of administration, had suspended all his activity. That if he really meant to enter into a cordial union with his people, he would have taken the first step, and have endeavoured, by putting trust in them, to restore that confidence which he, himself, by his rash conduct, had first violated. That it was in vain to ask so small a sum as 600,000 pounds, in order to secure him against the future attempts of the parliament; since that sum must soon be exhausted by a war with France, and he must again fall into that dependence, which was become, in some degree, essential to the constitution. That if he would form the necessary alliances, that sum, or a greater, would instantly be voted; nor could there be any reason to dread, that the parliament would immediately desert measures, in which they were engaged by their honour, their inclination, and the public interest. That the real ground, therefore, of the king's refusal, was neither apprehension of danger from foreign enemies, nor jealousy of parliamentary encroachments; but a desire of obtaining the money, which he intended, notwithstanding his royal word, to employ to other purposes. And that, by using such dishonourable means to so ignoble an end, he rendered himself still more unworthy the confidence of his people.

The house of commons was now regularly divided into two parties, the court and the country. Some were enlisted in the court-party by offices, nay, a few by bribes secretly given them; a practice first begun by Clifford, a dangerous minister: but great numbers were attached merely by inclination; so far as they esteemed the measures of the court agreeable to the interests of the nation. Private views and faction had likewise drawn several into

the country party: but there were also many of that party, who had no other object than the public good. These disinterested members on both sides fluctuated between the factions; and gave the superiority sometimes to the court, sometimes to the opposition.⁶ In the present emergence, a general distrust of the king prevailed; and the parliament resolved not to hazard their money, in expectation of alliances, which, they believed, were never intended to be formed. Instead of granting the supply, they voted an address, wherein they "besought his majesty to enter into a league, offensive and defensive, with the states general of the United Provinces, against the growth and power of the French king; and for the preservation of the Spanish Netherlands; and to make such other alliances with the confederates as should appear fit and useful to that end." They supported their advice with reasons, and promised speedy and effectual supplies, for preserving his majesty's honour and ensuring the safety of the public. The king pretended the highest anger at this address, which he represented as a dangerous encroachment upon his prerogative. He reproved the commons in severe terms; and ordered them immediately to be adjourned. (8th May).

It is certain, that this was the critical moment, when the king both might with ease have preserved the balance of power in Europe, which it has since cost this island a great expence of blood and treasure to restore, and might by perseverance have at last regained, in some tolerable measure, after all past errors, the confidence of his people. This opportunity being neglected, the wound became incurable; and notwithstanding his momentary appearances of vigour against France and popery, and their momentary inclinations to rely on his faith, he was still believed to be at bottom engaged in the same interest, and they soon relapsed into distrust and jealousy. The secret memoirs of this reign, which have since been published,⁷ prove beyond a doubt that the king had at this time concerted measures with France, and had no intention to enter into war in favour of the allies. He had entertained no view, therefore, even when he pawned his ROYAL WORD to his people, than to procure a grant of money; and he trusted, that, while he eluded their expectations, he could not afterwards want pretences for palliating his conduct.

Negotiations meanwhile were carried on between France and Holland, and an eventual treaty was concluded; that is, all their differences were adjusted, provided they could afterwards satisfy their allies on both sides. This work, though in appearance difficult seemed to be extremely forwarded, by farther bad successes on the part of the confederates,

and by the great impatience of the Hollanders; when a new event happened, which promised a more prosperous issue to the quarrel with France, and revived the hopes of all the English, who understood the interests of their country.

The king saw, with regret, the violent discontents which prevailed in the nation, and which seemed every day to augment upon him. Desirous by his natural temper to be easy himself, and to make every body else easy, he sought expedients to appease those murmurs, which, as they were very disagreeable for the present, might in their consequences prove extremely dangerous. He knew that, during the late war with Holland, the malcontents at home had made applications to the prince of Orange; and if he continued still to neglect the prince's interests, and to thwart the inclinations of his own people, he apprehended lest their common complaints should cement a lasting union between them. He saw that the eligion of the duke inspired the nation with dismal apprehensions; and though he had obliged his brother to allow the young princesses to be educated in the protestant faith, nothing farther he thought was necessary, in order to satisfy the nation. He entertained, therefore, proposals for marrying the prince of Orange to the lady Mary, the elder princess, and heir apparent to the crown (for the duke had no male issue); and he hoped, by so tempting an offer, to engage him entirely in his interests. A peace he purposed to make; such as would satisfy France, and still preserve his connexions with that crown: and he intended to sanctify it by the approbation of the prince, whom he found to be extremely revered in England, and respected throughout Europe. All the reasons for this alliance were seconded by the solicitations of Danby, and also of Temple, who was at that time in England: and Charles at last granted permission to the prince, when the campaign should be over, to pay him a visit.

MARRIAGE OF THE PRINCE OF ORANGE WITH THE LADY MARY. Oct. 23.

THE king very graciously received his nephew at Newmarket. He would have entered immediately upon business; but the prince desired first to be acquainted with the lady Mary: and he declared, that, contrary to the usual sentiments of persons of his rank, he placed a great part of happiness in domestic satisfaction, and would not, upon any consideration of interest or politics, match himself with a person disagreeable to him. He was introduced to the princess, whom he found in the bloom of youth, and extremely amiable both in her person and her behaviour. The king now thought that he had a double eye upon

him, and might safely expect his compliance with every proposal: he was surprised to find the prince decline all discourse of business, and refuse to concert any terms for the general peace, till his marriage should be finished. He foresaw, he said, from the situation of affairs, that his allies were likely to have hard terms; and he never would expose himself to the reproach of having sacrificed their interests to promote his own purposes. Charles still believed, notwithstanding the cold, severe manner of the prince, that he would abate of this rigid punctilio of honour; and he protracted the time, hoping, by his own insinuation and address, as well as by the allurements of love and ambition, to win him to compliance. One day, Temple found the prince in very bad humour, repenting that he had ever come to England, and resolute in a few days to leave it: but before he went, the king, he said, must choose the terms on which they should hereafter live together: he was sure it must be like the greatest friends or the greatest enemies: and he desired Temple to inform his master next morning of these intentions. Charles was struck with this menace, and foresaw how the prince's departure would be interpreted by the people. He resolved therefore immediately to yield with a good grace; and having paid a compliment to his nephew's honesty, he told Temple, that the marriage was concluded, and desired him to inform the duke of it, as of an affair already resolved on. The duke seemed surprised; but yielded a prompt obedience: which, he said, was his constant maxim to whatever he found to be the king's pleasure. No measure during this reign, gave such general satisfaction. All parties strove who should most applaud it. And even Arlington, who had been kept out of the secret, told the prince, "That some things, good in themselves, were spoiled by the manner of doing them, as some things had were mended by it; but he would confess that this was a thing so good in itself, that the manner of doing it could not spoil it."

This marriage was a great surprise to Lewis, who, accustomed to govern every thing in the English court, now found so important a step taken, not only without his consent, but without his knowledge or participation. A conjunction of England with the allies, and a vigorous war in opposition to French ambition, were the consequences immediately expected both abroad and at home: but to check these sanguine hopes, the king, a few days after the marriage, prolonged the adjournment of the parliament from the third of December to the fourth of April. This term was too late for granting supplies or making preparations for war; and could be chosen by the king for no other reason, than as an atonement to France for his consent to the marriage. It appears

also, that Charles secretly received from Lewis the sum of two millions of livres on account of this important service.⁸

PLAN OF PEACE.

THE king, however, entered into consultations with the prince, together with Danby and Temple, concerning the terms which it would be proper to require of France. After some debate, it was agreed that France should restore Lorraine to the duke; with Tournay, Valenciennes, Condé, Aeth, Charleroi, Courtray, Oudenarde, and Binche, to Spain, in order to form a good frontier for the Low Countries. The prince insisted that Franche-comté should likewise be restored, and Charles thought that because he had patrimonial estates of great value in that province, and deemed his property more secure in the hands of Spain, he was engaged by such views to be obstinate in that point: but the prince declared, that to procure but one good town to the Spaniards in Flanders, he would willingly relinquish all those possessions. As the king still insisted on the impossibility of wresting Franche-comté from Lewis, the prince was obliged to acquiesce.

Notwithstanding this concession to France, the projected peace was favourable to the allies; and it was a sufficient indication of vigour in the king, that he had given his assent to it. He farther agreed to send over a minister instantly to Paris, in order to propose these terms. This minister was to enter into no treaty. He was to allow but two days for the acceptance or refusal of the terms: upon the expiration of these, he was presently to return: and in case of refusal, the king promised to enter immediately into the confederacy. To carry so imperious a message, and so little expected from the English court, Temple was the person pitched on, whose declared aversion to the French interest was not likely to make him fail of vigour and promptitude in the execution of his commission.

But Charles next day felt a relenting in this assumed vigour. Instead of Temple he dispatched the earl of Feversham, a creature of the duke's, and a Frenchman by birth: and he said, that the message being harsh in itself, it was needless to aggravate it by a disagreeable messenger. The prince left London; and the king at his departure, assured him that he never would abate in the least point of the scheme concerted, and would enter into war with Lewis, if he rejected it.

NEGOTIATIONS.

LEWIS received the message with seeming gentleness and complacency. He told Feversham, that the king of England well knew that

he might always be master of the peace; but some of the towns in Flanders, it seemed very hard to demand, especially Tournay, upon whose fortification such immense sums had been expended: he would therefore take some short time to consider of an answer. Feversham said, that he was limited to two days' stay: but when that time was elapsed, he was prevailed on to remain some few days longer; and he came away at last without any positive answer. Lewis said, that he hoped his brother would not break with him for one or two towns: and with regard to them too, he would send orders to his ambassador at London to treat with the king himself. Charles was softened by the softness of France; and the blow was thus artfully eluded. The French ambassador, Barillon, owned at last, that he had orders to yield all except Tournay, and even to treat about some equivalent for that fortress, if the king absolutely insisted upon it. The prince was gone, who had given spirit to the English court; and the negotiation began to draw out into messages and returns from Paris.

By intervals, however, the king could rouse himself, and show still some firmness and resolution. Finding that affairs were not likely to come to any conclusion with France, he summoned, notwithstanding the long adjournment, the parliament on the fifteenth of January—an unusual measure, and capable of giving alarm to the French court. Temple was sent for to the council, and the king told him, that he intended he should go to Holland, in order to form a treaty of alliance with the States; and that the purpose of it should be, like the triple league, to force both France and Spain to accept of the terms proposed. Temple was sorry to find this act of vigour qualified by such a regard to France, and by such an appearance of indifference and neutrality between the parties. He told the king, that the resolution agreed on, was to begin the war in conjunction with all the confederates, in case of no direct and immediate answer from France: that this measure would satisfy the prince, the allies, and the people of England; advantages which could not be expected from such an alliance with Holland alone: that France would be disobliged, and Spain likewise; nor would the Dutch be satisfied with such a faint imitation of the triple league, a measure concerted when they were equally at peace with both parties. For these reasons, Temple declined the employment; and Lawrence Hyde, second son of chancellor Clarendon, was sent in his place.

1678. The prince of Orange could not regard without contempt such symptoms of weakness and vigour conjoined in the English counsels. He was resolved, however, to make the best of a measure which he did not approve; and as

Spain secretly consented that her ally should form a league, which was seemingly directed against her as well as France, but which was to fall only on the latter, the States concluded the treaty (6th Jan.) in the terms proposed by the king.

Meanwhile the English parliament met (28th Jan.) after some new adjournments; and the king was astonished, that notwithstanding the resolute measures which, he thought, he had taken, great distrust and jealousy and discontent were apt, at intervals, still to prevail among the members. Though in his speech he had allowed that a good peace could no longer be expected from negotiation, and assured them that he was resolved to enter into a war for that purpose; the commons did not forbear to insert in their reply several harsh and even unreasonable clauses. Upon his reproving them, they seemed penitent, and voted, that they would assist his majesty in the prosecution of the war. A fleet of ninety sail, an army of thirty thousand men, and a million of money, were also voted. Great difficulties were made by the commons with regard to the army, which the house, judging by past measures, believed to be intended more against the liberties of England than against the progress of the French monarch. To this perilous situation had the king reduced both himself and the nation. In all debates, severe speeches were made, and were received with seeming approbation: the duke and the treasurer began to be apprehensive of impeachments: many motions against the king's ministers were lost by a small majority: the commons appointed a day to consider the state of the kingdom with regard to popery: and they even went so far as to vote, that, how urgent soever the occasion, they would lay no farther charge on the people, till secured against the prevalence of the catholic party. In short, the parliament was impatient for war whenever the king seemed averse to it; but grew suspicious of some sinister design as soon as he complied with their requests, and seemed to enter into their measures.

The king was enraged at this last vote: he reproached Temple with his popular notions, as he termed them; and asked him how he thought the house of commons could be trusted for carrying on the war, should it be entered on, when in the very commencement they made such declarations? The uncertainties indeed of Charles's conduct were so multiplied, and the jealousies on both sides so incurable, that even those who approached nearest the scene of action could not determine, whether the king ever seriously meant to enter into a war, or whether, if he did, the house of commons would not have taken advantage of his necessities, and made him purchase supplies by a great sacrifice of his authority.

CAMPAIGN OF 1678.

THE king of France knew how to avail himself of all the advantages which these distractions afforded him. By his emissaries, he represented to the Dutch the imprudence of their depending on England; where an indolent king, averse to all war, especially with France, and irresolute in his measures, was actuated only by the uncertain breath of a factious parliament. To the aristocratical party, he remarked the danger of the prince's alliance with the royal family of England, and revived their apprehensions; lest, in imitation of his father, who had been honoured with the same alliance, he should violently attempt to enlarge his authority, and enslave his native country. In order to enforce these motives with farther terrors, he himself took the field very early in the spring; and after threatening Luxembourg, Mors, and Namur, he suddenly sat down before Ghent and Ypres, and in a few weeks made himself master of both places. This success gave great alarm to the Hollanders, who were likewise satisfied with the conduct of England, or with the ambiguous treaty lately concluded; and it quickened all their advances towards an accommodation. "

Immediately after the parliament had voted the supply, the king began to enlist forces; and such was the ardour of the English for a war with France, that an army of above 20,000 men, to the astonishment of Europe, was completed in a few weeks. Three thousand men, under the duke of Monmouth, was sent over to secure Ostend: some regiments were recalled from the French service; a fleet was fitted out with great diligence; and a quadruple alliance was projected between England, Holland, Spain, and the emperor.

But these vigorous measures received a sudden damp from a passionate address of the lower house; in which they justified all their past proceedings that had given disgust to the king; desired to be acquainted with the measures taken by him; prayed him to dismiss evil counsellors; and named in particular the duke of Lauderdale, on whose removal they strenuously insisted. The king told them, that their address was so extravagant, that he was not willing speedily to give it the answer which it deserved. And he began again to lend an ear to the proposals of Lewis, who offered him great sums of money, if he would consent to France's making an advantageous peace with the allies.

NEGOTIATIONS.

TEMPER, though pressed by the king, refused to have any concern in so dishonourable a negotiation; but he informs us that the king said, there was one article proposed, which so

incensed him, that, as long as he lived, he should never forget it. Sir William goes no farther; but the editor of his works, the famous Dr. Swift, says, that the French, before they would agree to any payment, required as a preliminary, that the king should engage never to keep above 8000 regular troops in Great Britain.¹⁰ Charles broke into a passion. "Cod's-fish!" said he, his usual oath, "does my brother of France think to serve me thus? Are all his promises to make me absolute master of my people come to this? Or does he think *that* a thing to be done with eight thousand men?"

Van Beverning was the Dutch ambassador at Nimwegen, a man of great authority with the States. He was eager for peace, and was persuaded, that the reluctance of the king, and the jealousies of the parliament, would for ever disappoint the allies in their hopes of succour from England. Orders were sent him by the States to go to the French king at Ghent, and to concert the terms of a general treaty, as well procure a present truce for six weeks. The terms agreed on were much worse for the Spaniards than those which had been planned by the king and the prince of Orange. Six towns, some of them of no great importance, were to be restored to them: but Ypres, Condé, Valenciennes, and Tournay, in which consisted the chief strength of their frontier, were to remain with France.

Great murmurs arose in England when it was known that Flanders was to be left in so defenceless a condition. The chief complaints were levelled against the king, who, by his concurrence at first, by his favour afterwards, and by his delays at last, had raised the power of France to such an enormous height, that it threatened the general liberties of Europe. Charles, uneasy under these imputations, dreading the consequence of losing the affections of his subjects, and perhaps disgusted with the secret article proposed by France, began to wish heartily for war, which, he hoped, would have restored him to his ancient popularity.

An opportunity unexpectedly offered itself for his displaying these new dispositions. While the ministers at Nimwegen were concerting the terms of a general treaty, the marquis de Balbases, the Spanish ambassador, asked the ambassadors of France, at what time France intended to restore the six towns in Flanders. They made no difficulty in declaring that the king their master, being obliged to see an entire restitution made to the Swedes of all they had lost in the war, could not evacuate these towns till that crown had received satisfaction; and that this detention of places was the only means to induce the powers of the north to accept of the peace.

The States immediately gave the king intelli

gence of a pretension which might be attended with such dangerous consequences. The king was both surprised and angry. He immediately dispatched Temple to concert with the States vigorous measures for opposing France. Temple in six days concluded a treaty, by which Lewis was obliged to declare, within sixteen days after the date, that he would presently evacuate the towns; and in case of his refusal, Holland was bound to continue the war, and England to declare immediately against France, in conjunction with the whole confederacy.

All these warlike measures were so ill seconded by the parliament, where even the French ministers were suspected, with reason,¹¹ of carrying on some intrigues, that the commons renewed their former jealousies against the king, and voted the army to be disbanded. The king by a message represented the danger of disarming before peace was finally concluded; and he recommended to their consideration, whether he could honourably recall his forces from those towns in Flanders, which were put under his protection, and which had at present no other means of defence. The commons agreed to prolong the term with regard to these forces. Every thing indeed in Europe bore the appearance of war. France had positively declared that she would not evacuate the six towns before the requisite session was made to Sweden; and her honour seemed now engaged to support that declaration. Spain and the empire, disgusted with the terms of peace imposed by Holland, saw with pleasure the prospect of a powerful support from the new resolutions of Charles. Holland itself, encouraged by the prince of Orange and his party, was not displeased to find that the war would be renewed on more equal terms. The allied army, under that prince, was approaching towards Mons, then blockaded by France. A considerable body of English, under the duke of Monmouth, was ready to join him.

Charles usually passed a great part of his time in the women's apartments, particularly those of the dutchess of Portsmouth; where, among other gay company, he often met with Barillon, the French ambassador, a man of polite conversation, who was admitted into all the amusements of that inglorious but agreeable monarch. It was the charms of this sauntering, easy life, which, during his latter years, attached Charles to his mistresses. By the insinuations of Barillon, and the dutchess of Portsmouth, an order was, in an unguarded hour, procured, which instantly changed the face of affairs in Europe. One Du Cros, a French fugitive monk, was sent to Temple, directing him to apply to the Swedish ambassador, and persuade him not to insist on the conditions required by France, but to sacrifice to general peace those interests of Sweden

Du Cros, who had secretly received instructions from Barillon, published every where in Holland the commission with which he was intrusted; and all men took the alarm. It was concluded, that Charles's sudden alacrity for war was as suddenly extinguished, and that no steady measures could ever be taken with England. The king afterwards, when he saw Temple, treated this important matter in railery; and said, laughing, that the rogue Du Cros had outwitted them all.

The negotiations, however, at Nimeguen still continued; and the French ambassadors spun out the time, till the morning of the critical day, which, by the late treaty between England and Holland, was to determine whether a sudden peace or a long war were to have place in Christendom. The French ambassadors came then to Van Beverning, and told him, that they had received orders to consent to the evacuation of the towns, and immediately to conclude and sign the peace.* Van Beverning might have refused compliance, because it was now impossible to procure the consent and concurrence of Spain; but he had entertained so just an idea of the fluctuations in the English counsels, and was so much alarmed by the late commission given to Du Cros, that he deemed it fortunate for the republic to finish on any terms a dangerous war, where they were likely to be very ill supported. The papers were instantly drawn, and signed by the ministers of France and Holland, between eleven and twelve o'clock at night. (Aug. 1.) By this treaty France secured the possession of Franche-comté, together with Cambray, Aire, St. Omer's, Valenciennes, Tournay, Ypres, Bouchaine, Cassel, &c. and restored to Spain only Charleroi, Courtrai, Oudenarde, Aëth, Ghent, and Limbourg.

Next day Temple received an express from England, which brought the ratifications of the treaty lately concluded with the States, together with orders immediately to proceed to the exchange of them. Charles was now returned to his former inclinations for war with France.

Van Beverning was loudly exclaimed against by the ambassadors of the allies at Nimeguen, especially those of Brandenburg and Denmark, whose masters were obliged, by the treaty, to restore all their acquisitions. The ministers of Spain and the emperor were sullen and disgusted; and all men hoped that the States, importuned and encouraged by continual solicitations from England, would disavow their ambassadors, and renew the war. The prince of Orange even took an extraordinary step in order to engage them to that measure; or perhaps to give vent to his own spleen and resentment. The day after signing the peace at Nimeguen, he attacked the French army at St. Dennis, near Mons; and gained some

advantage over Luxembourg, who rested secure on the faith of the treaty, and concluded the war to be finished. The prince knew, at least had reason to believe, that the peace was signed, though it had not been formally notified to him; and he here sacrificed wantonly, without a proper motive, the lives of many brave men on both sides, who fell in this sharp and well-contested action.

Hyde was sent over with a view of persuading the States to disavow Van Beverning; and the king promised that England, if she might depend on Holland, would immediately declare war, and would pursue it, till France were reduced to reasonable conditions. Charles at present went farther than words. He hurried on the embarkation of his army for Flanders; and all his preparations wore a hostile appearance. But the States had been too often deceived to trust him any longer. They ratified the treaty signed at Nimeguen; and all the other powers of Europe were at last, after much clamour and many disgusts, obliged to accept of the terms prescribed to them.

PEACE OF NIMEGUEN.

LEWIS had now reached the height of that glory which ambition can afford. His ministers and negotiators appeared as much superior to those of all Europe in the cabinet, as his generals and armies had been experienced in the field. A successful war had been carried on against an alliance, composed of the greatest potentates in Europe. Considerable conquests had been made and his territories enlarged on every side. An advantageous peace was at last concluded, where he had given the law. The allies were so enraged against each other, that they were not likely to consent soon in any new confederacy. And thus he had, during some years, a real prospect of attaining the monarchy of Europe, and of exceeding the empire of Charlemagne, perhaps equalling that of ancient Rome. Had England continued much longer in the same condition, and under the same government, it is not easy to conceive that he could have failed of his purpose.

In proportion as these circumstances exalted the French, they excited indignation among the English, whose animosity, roused by terror, mounted to a great height against that rival nation. Instead of taking the lead in the affairs of Europe, Charles, they thought had, contrary to his own honour and interest, acted a part entirely subservient to the common enemy; and in all his measures had either no project at all, or such as was highly criminal and dangerous. While Spain, Holland, the emperor, the princes of Germany, called aloud on England to lead them to victory and to liberty, and conspired to raise her to a station

more glorious than she had ever before attained; her king, from mean pecuniary motives, had secretly sold his alliance to Lewis, and was bribed into an interest contrary to that of his people. His active schemes, in conjunction with France, were highly pernicious; his neutrality was equally ignominious; and the jealous refractory behaviour of the parliament, though in itself dangerous, was the only remedy for so many greater ills, with which the public, from the misguided counsels of the king, was so nearly threatened. Such were the dispositions of men's minds at the conclusion of the peace of Nimeguen: and these dispositions naturally prepared the way for the events which followed.

STATE OF AFFAIRS IN SCOTLAND.

WE must now return to the affairs of Scotland, which we left in some disorder, after the suppression of the insurrection in 1666. The king, who at that time endeavored to render himself popular in England, adopted like measures in Scotland, and he intrusted the government into the hands chiefly of Tweeddale and sir Robert Murray, men of prudence and moderation. These ministers made it their principal object to compose the religious differences, which ran high, and for which scarcely any modern nation but the Dutch had as yet found the proper remedy. As rigour and restraint had failed of success in Scotland, a scheme of *ecclesiastical* union; by which it was intended to diminish greatly the authority of bishops, to abolish their negative voice in the ecclesiastical courts, and to leave them little more than the right of precedence among the presbyters. But the presbyterian zealots entertained great jealousy against this scheme. They remembered that, by such gradual steps, king James had endeavoured to introduce episcopacy. Should the ears and eyes of men be once reconciled to the name and habit of bishops, the whole power of the function, they dreaded, would soon follow: the least communication with unlawful and antichristian institutions they esteemed dangerous and criminal: *Touch not, taste not, handle not*: this cry went out amongst them: and the king's ministers at last perceived that they should prostitute the dignity of government, by making advances to which the malcontents were determined not to correspond.

The next project adopted was that of *indulgence*. In prosecution of this scheme, the most popular of the expelled preachers, without requiring any terms of submission to the established religion, were settled in vacant churches; and small salaries of about twenty pounds a-year were offered to the rest, till they should otherwise be provided for. These last refused the king's bounty, which they

considered as the wages of a criminal silence. Even the former soon repented their compliance. The people, who had been accustomed to hear them rail against their superiors, and preach to the times, as they termed it, deemed their sermons languid and spiritless, when deprived of these ornaments. Their usual gifts, they thought, had left them, on account of their submission, which was stigmatised as *erastianism*. They gave them the appellation, not of ministers of Christ, but of *the king's curates*; as the clergy of the established church were commonly denominated *the bishop's curates*. The preachers themselves returned in a little time to their former practices, by which they hoped to regain their former dominion over the minds of men. The conventicles multiplied daily in the west: the clergy of the established church were insulted: the laws were neglected: the covenanters even met daily in arms at their places of worship: and though they usually dispersed themselves after divine service, yet the government took a just alarm at seeing men, who were so entirely governed by their seditious teachers, dare to set authority at defiance, and during a time of full peace, to put themselves in a military posture.

There was here, it is apparent, in the political body, a disease dangerous and inveterate; and the government had tried every remedy, but the true one, to allay and correct it. An unlimited *toleration*, after sects have diffused themselves, and are strongly rooted, is the only expedient which can allay their fervour, and make the civil union acquire a superiority above religious distinctions. But as the operations of this regimen are commonly gradual, and at first imperceptible, vulgar politicians are apt, for that reason, to have recourse to more hasty and more dangerous remedies. It is observable too, that these non-conformists, in Scotland, neither offered nor demanded toleration; but laid claim to an entire superiority, and to the exercise of extreme rigour against their adversaries. The covenant, which they idolized, was a persecuting, as well as a seditious band of confederacy; and the government, instead of treating them like madmen, who should be soothed, and flattered, and deceived into tranquillity, thought themselves entitled to a rigid obedience, and were too apt, from a mistaken policy, to retaliate upon the dissenters, who had erred from the spirit of enthusiasm.

Amidst these disturbances, a new parliament was assembled at Edinburgh;¹² and Lauderdale was sent down commissioner. The zealous presbyterians, who were the chief patrons of liberty, were too obnoxious to resist, with any success, the measures of government; and in parliament the tide still ran strongly in favour of monarchy. The commissioner

had such influence as to get two acts passed, which were of great consequence to the ecclesiastical and civil liberties of the kingdom. By the one, it was declared, that the settling of all things with regard to the external government of the church was a right of the crown: that whatever related to ecclesiastical meetings, matters, and persons, was to be ordered according to such directions as the king should send to his privy council: and that these, being published by them, should have the force of laws. The other act regarded the militia, which the king, by his own authority, had two years before established, instead of the army which was disbanded. By this act the militia was settled, to the number of 22,000 men, who were to be constantly armed and regularly disciplined. And it was farther enacted, that these troops should be held in readiness to march into England, Ireland, or any part of the king's dominions, for any cause in which his majesty's authority, power, or greatness, was concerned; on receiving orders, not from the king himself, but from the privy council of Scotland.

Lauderdale boasted extremely of his services in procuring these two laws. The king by the former was rendered absolute master of the church, and might legally, by his edict, re-establish, if he thought proper, the catholic religion in Scotland. By the latter, he saw a powerful force ready at his call: he had even the advantage of being able to disguise his orders under the name of the privy council; and in case of failure in his enterprises, could by such a pretence apologise for his conduct to the parliament of England. But in proportion as these laws were agreeable to the king, they gave alarm to the English commons, and were the chief cause of the redoubled attacks which they made upon Lauderdale. These attacks, however, served only to fortify him in his interest with the king; and though it is probable that the militia of Scotland, during the divided state of that kingdom, would, if matters had come to extremities, have been of little service against England; yet did Charles regard the credit of it as a considerable support to his authority: and Lauderdale, by degrees, became the prime, or rather sole minister for Scotland. The natural indolence of the king disposed him to place entire confidence in a man who had so far extended the royal prerogative, and who was still disposed to render it absolutely uncontrollable.

In a subsequent session of the same parliament,¹³ a severe law was enacted against conventicles. Ruinous fines were imposed both on the preachers and hearers, even if the meetings had been in houses; but, field conventicles were subjected to the penalty of death, and confiscation of goods: four hundred marks, Scotch, were offered as a reward to those

who should seize the criminals; and they were indemnified for any slaughter which they might commit in the execution of such an undertaking. And as it was found difficult to get evidence against these conventicles, however numerous, it was enacted by another law, that whoever, being required by the council, refused to give information upon oath, should be punished by arbitrary fines, by imprisonment, or by banishment to the plantations. Thus all persecution naturally, or rather necessarily, adopts the iniquities, as well as rigours, of the inquisition. What a considerable part of the society consider as their duty and honour, and even many of the opposite party are apt to regard with compassion and indulgence, can by no other expedient be subjected to such severe penalties as the natural sentiments of mankind appropriate only to the greatest crimes.

Though Lauderdale found this ready compliance in the parliament, a party was formed against him, of which duke Hamilton was the head. This nobleman, with Tweddale, and others, went to London and applied to the king, who during the present depression, and insignificance of parliament, was alone able to correct the abuses of Lauderdale's administration. But even then, complaints to him might be dangerous; and all approaches of truth to the throne were barred by the ridiculous law against leasing-making; a law which seems to have been extorted by the ancient nobles, in order to protect their own tyranny, oppression, and injustice. Great precautions, therefore, were used by the Scottish malcontents, in their representations to the king; but no redress was obtained. Charles loaded them with caresses and continued Lauderdale in his authority.

A very bad, at least a severe use was made of this authority. The privy council dispossessed twelve gentlemen or noblemen of their houses;¹⁴ which were converted into so many garrisons, established for the suppression of conventicles. The nation, it was pretended, was really, on account of these religious assemblies, in a state of war; and by the ancient law, the king, in such an emergency, was empowered to place a garrison in any house where he should judge it expedient.

It were endless to recount every act of violence and arbitrary authority exercised during Lauderdale's administration. All the lawyers were put from the bar, nay banished, by the king's order, twelve miles from the capital, and by that means the whole justice of the kingdom was suspended for a year; till these lawyers were brought to declare it as their opinion, that all appeals to parliament were illegal. A letter was procured from the king, for expelling twelve of the chief magistrates of Edinburgh, and declaring them incapable of all public office, though their only crime had

been their want of compliance with Lauderdale. The boroughs of Scotland have a privilege of meeting once a-year by their deputies, in order to consider the state of trade, and make bye-laws for its regulation: in this convention a petition was voted, complaining of some late acts, which obstructed commerce, and praying the king that he would empower his commissioner, in the next session of parliament to give his assent for repealing them. For this presumption, as it was called, several of the members were fined and imprisoned. One More, a member of parliament, having moved in the house, that, in imitation of the English parliament, no bill should pass except after three readings, he was, for this pretended offence, immediately sent to prison by the commissioner.

The private deportment of Lauderdale was as insolent and provoking as his public administration was violent and tyrannical. Justice likewise was universally perverted by faction and interest: and from the great rapacity of that duke, and still more of his dutchess, all offices and favours were openly put to sale. No one was allowed to approach the throne who was not dependent on him; and no remedy could be hoped for or obtained against his manifold oppressions. The case of Mitchel shows that this minister was as much destitute of truth and honour, as of lenity and justice.

Mitchel was a desperate fanatic, and had entertained a resolution of assassinating Sharpe, archbishop of St. Andrews, who, by his former apostacy and subsequent rigour, had rendered himself extremely odious to the covenanters. In the year 1668, Mitchel fired a pistol at the primate, as he was sitting in his coach; but the bishop of Orkney, stepping into the coach, happened to stretch out his arm, which intercepted the ball, and was much shattered by it. This happened in the principal street of the city; but so generally was the archbishop hated, that the assassin was allowed peaceably to walk off; and having turned a street or two, and thrown off a wig, which disguised him, he immediately appeared in public, and remained altogether unsuspected. Some years after, Sharpe remarked one, who seemed to eye him very eagerly; and being still anxious lest an attempt of assassination should be renewed, he ordered the man to be seized and examined. Two loaded pistols were found upon him; and as he was now concluded to be the author of the former attempt, Sharpe promised, that, if he would confess his guilt he should be dismissed without any punishment. Mitchel (for the conjecture was just) was so credulous as to believe him; but was immediately produced before the council by the faithless primate. The council, having no proof against him, but hoping to involve the whole body of covenanters in this odious

crime, solemnly renewed the promise of pardon, if he would make a full discovery; and it was a great disappointment to them, when they found, upon his confession, that only one person, who was now dead, had been acquainted with his bloody purpose. Mitchel was then carried before a court of judicature, and required to renew his confession; but being apprehensive, lest, though a pardon for life had been promised him, other corporal punishment might still be inflicted, he refused compliance, and was sent back to prison. He was

examined before the council, under pretence of his being concerned in the insurrection at Pentland; and though no proof appeared against him, he was put to the question, and, contrary to the most obvious principles of equity, was urged to accuse himself. He endured the torture with singular resolution, and continued obstinate in the denial of a crime, of which, it is believed, he really was not guilty. Instead of obtaining his liberty, he was sent to the Bass, a very high rock, surrounded by the sea; at this time converted into a state prison, and full of the unhappy covenanters. He there remained in great misery, loaded with irons, till the year 1677, when it was resolved, by some new examples,

like fresh the persecuted, but till obstinate enthusiasts. Mitchel was then brought before a court of judicature, and put upon his trial, for an attempt to assassinate an archbishop and a privy-counsellor. His former confession was pleaded against him, and was proved by the testimony of the duke of Lauderdale, lord commissioner, lord Hatton his brother, the earl of Rothes, and the prime himself. Mitchel, besides maintaining that the privy-council was no court of judicature, and that a confession before them was not judicial, asserted that he had been engaged to make that confession by a solemn promise of pardon. The four privy-counsellors denied upon oath that any such promise had ever been given. The prisoner then desired that the council-books might be produced in court, and even offered a copy of that day's proceedings to be read; but the privy-counsellors maintained, that, after they had made oath, no farther proof could be admitted; and that the books of council contained the king's secrets, which were on no account to be divulged. They were not probably aware, when they swore, that the clerk, having engrossed the promise of pardon in the narrative of Mitchel's confession, the whole minute had been signed by the chancellor, and that the proofs of their perjury were by that means committed to record. Though the prisoner was condemned, Lauderdale was still inclined to pardon him; but the unrelenting prime rigorously insisted upon his execution; and said, that if assassins remained unpunished,

his life must be exposed to perpetual danger. Mitchel was accordingly executed at Edinburgh in January, 1678. Such a complication of cruelty and treachery shows the character of those ministers to whom the king had, at this time, intrusted the government of Scotland.

Lauderdale's administration, besides the iniquities arising from the violence of his temper, and the still greater iniquities inseparable from all projects of persecution, was attended with other circumstances, which engaged him in severe and arbitrary measures. An absolute government was to be introduced, which on its commencement is often most rigorous; and tyranny was still obliged, for want of military power, to cover itself under an appearance of law; a situation which rendered it extremely awkward in its motions, and, by provoking opposition, extended the violence of its oppressions.

The rigours exercised against conventicles, instead of breaking the spirit of the fanatics, had tended only, as is usual, to render them more obstinate, to increase the fervour of their zeal; to link them more closely together, and to inflame them against the established hierarchy. The commonalty, almost every where in the south, particularly in the western counties, frequented conventicles without reserve; and the gentry, though they themselves commonly abstained from these illegal places of worship, connived at this irregularity in their inferiors. In order to interest the former on the side of the persecutors, a bond or contract was, by order of the privy council, tendered to the landlords in the west, by which they were to engage for the good behaviour of their tenants; and in case any tenant frequented a conventicle, the landlord was to subject himself to the same fine as could by law be exacted from the delinquent. It was ridiculous to give sanction to laws by voluntary contracts: it was iniquitous to make one man answerable for the conduct of another: it was illegal to impose such hard conditions upon men who had nowise offended. For these reasons, the greater part of the gentry refused to sign these bonds: and Lauderdale, enraged at this opposition, endeavoured to break their spirit by expedients which were still more unusual and more arbitrary.

The law enacted against conventicles, had called them seminaries of rebellion. This expression, which was nothing but a flourish of rhetoric, Lauderdale and the privy council were willing to understand in a literal sense; and because the western counties abounded in conventicles, though otherwise in profound peace, they pretended that these counties were in a state of actual war and rebellion. They made therefore an agreement with some highland chieftains to call out their clans, to the number of 8000 men: to these they joined

the guards, and the militia of Angus: and they sent the whole to live at free quarters upon the lands of such as had refused the bonds illegally required of them. The obnoxious counties were the most populous and most industrious in Scotland. The highlanders were the people the most disorderly and the least civilized. It is easy to imagine the havoc and destruction which ensued. A multitude, not accustomed to discipline, averse to the restraint of laws, trained up in rapine and violence, were let loose amidst those whom they were taught to regard as enemies to their prince and to their religion. Nothing escaped their ravenous hands: by menaces, by violence, and sometimes by tortures, men were obliged to discover their concealed wealth. Neither age, nor sex, nor innocence, afforded protection: and the gentry, finding that even those who had been most compliant; and who had subscribed the bonds, were equally exposed to the rapacity of those barbarians, confirmed themselves still more in the resolution of refusing them. The voice of the nation was raised against this enormous outrage: and after two months free quarter, the highlanders were sent back to their hills, loaded with the spoils and execrations of the west.

Those who had been engaged to subscribe the bonds, could find no security but by turning out such tenants as they suspected of an inclination to conventicles, and thereby depopulating their estates. To increase the misery of these unhappy farmers, the council enacted, that none should be received any where, or allowed a habitation, who brought not a certificate of his conformity from the parish minister. That the obstinate and retractory might not escape farther persecution; a new device was fallen upon. By the law of Scotland, any man, who should go before a magistrate, and swear that he thought himself in danger from another, might obtain a writ of *law-burrows*, as it is called; by which the latter was bound, under the penalty of imprisonment and outlawry, to find security for his good behaviour. Lauderdale entertained the absurd notion of making the king sue out writs of law-burrows against his subjects. On this pretence, the refusers of the bonds were summoned to appear before the council, and were required to bind themselves, under the penalty of two years' rent, neither to frequent conventicles themselves, nor allow their family and tenants to be present at those unlawful assemblies. Thus chicanery was joined to tyranny; and the majesty of the king, instead of being exalted, was in reality prostituted; as if he were obliged to seek the same security which one neighbour might require of another.

It was an old law, but seldom executed, that a man, who was accused of any crime, and did not appear, in order to stand his trial, might be

intercommuned, that is, he might be publicly outlawed; and whoever afterwards, either on account of business, relation, nay charity, had the least intercourse with him, was subjected to the same penalties as could by law be inflicted on the criminal himself. Several writs of intercommuning were now issued against the hearers and preachers in conventicles; and by this severe and even absurd law, crimes and guilt went on multiplying in a geometrical proportion. Where laws themselves are so violent, it is no wonder that an administration should be tyrannical.

Lest the cry of an oppressed people should reach the throne, the council forbade, under severe penalties, all noblemen or gentlemen of landed property to leave the kingdom:—a severe edict, especially where the sovereign himself resided in a foreign country. Notwithstanding this act of council, Cassils first, afterwards Hamilton and Tweddale, went to London, and laid their complaints before the king. These violent proceedings of Lauderdale were opposite to the natural temper of Charles; and he immediately issued orders for discontinuing the bonds and the writs of law burrows. But as he was commonly little touched with what lay at a distance, he entertained not the proper indignation against those who had abused his authority: even while he retracted these oppressive measures, he was prevailed with to avow and praise them, in a letter which he wrote to the privy council. This proof of confidence might fortify the hands of the ministry; but the king ran a manifest risk of losing the affections of his subjects, by not permitting, even those who were desirous of it, to distinguish between him and their oppressors.

It is reported,¹⁵ that Charles, after a full hearing of the debates concerning Scottish affairs, said, "I perceive, that Lauderdale has been guilty of many bad things against the people of Scotland; but I cannot find that he has acted any thing contrary to my interest:" a sentiment unworthy of a sovereign!

During the absence of Hamilton and the other discontented lords, the king allowed Lauderdale to summon a convention of estates at Edinburgh. This assembly, besides granting some money, bestowed applause on all Lauderdale's administration, and in their addresses to the king expressed the highest contentment and satisfaction. But these instances of complaisance had the contrary effect in England from what was expected by the contrivers of them. All men there concluded, that in Scotland the very voice of liberty was totally suppressed; and that, by the prevalence of tyranny, grievances were so rivetted, that it was become dangerous even to mention them, or complain to the prince, who alone was able to redress them. From the slavery of the neighbouring kingdom, they inferred the

arbitrary disposition of the king; and from the violence with which sovereign power was there exercised, they apprehended the miseries which might ensue to themselves upon their loss of liberty. If persecution, it was asked, by a protestant church could be carried to such extremes, what might be dreaded from the prevalence of popery, which had ever, in all ages, made open profession of exterminating by fire and sword every opposite sect or communion? And if the first approaches towards unlimited authority were so tyrannical, how dismal its final establishment; when all dread of opposition should at last be removed by mercenary armies, and all sense of shame by long and inveterate habit?

NOTES.

1 Since the publication of this History the Author has had occasion to see the direct and positive evidence of the agency. From the humanity and candour of the Principal of the Scotch College, he has obtained a perusal of several volumes of small folio, printed by that prince's own hand, and of his life, from his early youth till near the time of his death. His account of the French alliance and intention of the king to change the religion of popery: the treaty with Lewis was concluded at Versailles, in the end of 1664, or beginning of 1665, by Lord Arundel of Wardour, whom no historian mentions as having had any hand in these transactions. The purpose of it was, that Lewis

of any correction. When that work was finished, England was to join with France in making war upon Holland. In

Holland

rest of the sea-ports as far as Matelane Slave. The king's project was first to effect the change of religion in England; but the dutches of Orkney, in the interview at Douai, persuaded him to begin with the Dutch war, contrary to the re-

sisted that Lewis, after serving his own purposes, would no longer trouble himself about England. The duke makes no mention of any design to render the king

in the other project, which was to be effected entirely by royal authority. The king was so zealous a protestant, that he wist for joy when he saw the prospect of re-uniting his kingdom to the catholic church.

more other curious particulars with regard to this treaty. We find, that it

alone of four popish counsellors of the king's, Arlington, Arundel, Clifford, and sir Richard Bealing. The secret was kept from Buckingham, Ashley, and Lauderdale. In order to engage them to take part in it, a very refined and a very mean artifice was fallen upon by the king. After the secret conclusion and signature of the treaty, the king pretended to these three ministers, that he wished to have a treaty and alliance with France for mutual support, and for a Dutch war; and when various pretended obstacles and difficulties were surmounted, a sham treaty was

concluded with their consent and approbation, containing every article of the

French troops, and a war with Holland,

else. One cannot sufficiently admire the absolute want of common sense, which

and transaction. For the object of national policy is the king's throne

and of losing the nation's honour. Considering the gloom, full of sectarian

render that of the Dutch should be practicable

had lived unmolested in

he rather favoured than opposed. 4 Several historians have affirmed, that the commons found this assent, upon

1,600,000 pounds

pounds; and have appealed to the Journals for a proof. But there is not the and the fact is impossible.

Welwood, Bort, Coke

1 Temple's Memoirs, vol. i. p. 458

Such as the letters, which passed between Dunby and Montague, the king's ambassador at Paris, Temple's Memoirs,

that the king made any proposal loved them to have always been concerted with the French ambassador. Vol. i. p. 459.

In sir John Dalrymple's Appendix, p. 104, it appears that the king had signed himself, without the participation of his ministers, a secret treaty with France, and had obtained a pension the promise of his neutrality: a fact, which renders his royal word, solemnly given to his subjects, one of the most dishonourable and most scandalous acts that ever proceeded from a throne.

8 Sir John Dalrymple's Appendix, p. 112

9 Temple, vol. i. p. 461.
O In wit, 1660 men for Scotland, and the second guards and garrisons in England,

Temple's Appendix, p. 161
John Dalrymple, in his Appendix, p. 104

in the secretary's office at Paris, a more particular detail of these intrigues. They were carried on with lord Russell, lord Hollis, lord Berkshire, the duke of Buckingham, Algernon Sydney, Montague, Bulstrode, col. Ligonier, sir Edward Harley, sir John Bahar, sir Roger Hill, Bro. Lisle, wile, Harlow, Hambden, sir Thomas Armstrong, Hotham, Herbert, and others of lord Russell and his army. He was at the bar of parliament, but his party views of and their well founded jealousy of the king and duke, engaged him, independently of the money, into

the 1st of France
in parliament, where night's reign in the palace machine. The king, which have always been

The sums distributed to all, excepting Montague, did not

eight
the influence of the crown. Accordingly we find, in all Barillon's dispatches, a great anxiety that the parliament should never be assembled. The conduct of the English patriots was

Courten says, that two hundred thousand lives employed by the Spaniards and Germans, would have more influence than two millions distributed by France. See Sir J. Dalrymple's App. p. 111. It is amazing to observe the general, and I may say national, rage excited by the late discovery of this secret negotiation; chiefly on account of Algernon Sydney, whom the blind prejudices of party had exalted into a hero. His ingratitude and breach of faith, in applying for the king's pardon, and immediately on his return entering into cabals for rebellion, form a conduct much more criminal than the taking of French gold. Yet the former circumstance was always known, and always disregarded. But every thing connected with France is supposed in England, to be polluted beyond all possibility of expiation. Even lord Russell, whose conduct in this negotiation was only faction, and that in an ordinary degree, is imagined to be dishonoured by the same discovery.

12 14th of October, 1669.
13 28th of July, 1670.
14 In 1675.
15 Burges.

CHAPTER LXVII.

The Popish Plot.—Oate's Narrative, and Character.—Coleman's Letters.—Godfrey's Murder.—General Consternation.—The Parliament.—Zeal of the Parliament.—Bedloe's Narrative.—Accusation of Danby—His Impeachment.—Dissolution of the Long Parliament—Its Character.—Trial of Coleman—of Ireland.—New Elections.—Duke of Monmouth.—Duke of York retires to Brussels.—New Parliament.—Danby's Impeachment.—Popish Plot.—New Council.—Limitations on a Popish Successor.—Bill of Exclusion.—Habeas Corpus Bill.—Prorogation and Dissolution of the Parliament.—Trial and Execution of the five Jesuits, and of Langhorne.—Wakeman acquitted.—State of Affairs in Scotland.—Battle of Bothwell-bridge.

THE POPISH PLOT.

THE English nation, ever since the fatal league with France, had entertained violent jealousies against the court; and the subsequent measures adopted by the king, had tended more to increase than cure the general prejudices. Some mysterious design was still suspected in every enterprise and profession: arbitrary power and popery were apprehended as the scope of all projects: each breath or rumour made the people start with anxiety: their enemies, they thought, were in their very bosom, and had gotten possession of their sovereign's confidence. While in this timorous, jealous disposition, the cry of a *plot* all on a sudden struck their ears: they were awakened from their slumber; and like men affrightened and in the dark, took every figure for a spectre. The terror of each man became the source of terror to another. And an universal panic being diffused, reason and argument, and common sense and common humanity, lost all influence over them. From this disposition of men's minds we are to account for the progress of the POPISH PLOT, and the credit given to it; an event which would otherwise appear prodigious, and altogether inexplicable.

On the 12th of August, one Kirby, a chemist, accosted the king, as he was walking in the park: "Sir," said he, "keep within the company: your enemies have a design upon your life; and you may be shot in this very walk." Being asked the reason of these strange speeches, he said, that two men, called Grove and Pickering, had engaged to shoot the king, and sir George Wakeman, the queen's physician, to poison him. This intelligence, he added, had been communicated to him by doctor Tongue; whom, if permitted, he would introduce to his majesty. Tongue was a divine of the church of England; a man active, restless, full of projects, void of understanding. He brought papers to the king, which contained information of a plot, and were digested into forty-three articles. The king, not having leisure to peruse them, sent them to the trea-

surer, Danby, and ordered the two informers to lay the business before that minister. Tongue confessed to Danby, that he himself had not drawn the papers, that they had been secretly thrust under his door, and that, though he suspected, he did not certainly know, who was the author. After a few days, he returned, and told the treasurer, that his suspicions, he found, were just; and that the author of the intelligence, whom he had met twice or thrice in the street, had acknowledged the whole matter; and had given him a more particular account of the conspiracy, but desired that his name might be concealed, being apprehensive lest the papists should murder him.

The information was renewed with regard to Grove's and Pickering's intentions of shooting the king; and Tongue even pretended, that, at a particular time, they were to set out for Windsor with that intention. Orders were given for arresting them, as soon as they should appear in that place: but though this alarm was more than once renewed, some frivolous reasons were still found by Tongue for their having delayed the journey. And the king concluded, both from these evasions, and from the mysterious, artificial manner of communicating the intelligence, that the whole was an imposture.

Tongue came next to the treasurer, and told him that a packet of letters, written by jesuits concerned in the plot, was that night to be put into the post-house for Windsor, directed to Bennifield, a jesuit, confessor to the duke. When this intelligence was conveyed to the king, he replied, that the packet mentioned had a few hours before been brought to the duke by Bennifield; who said, that he suspected some bad design upon him, that the letters seemed to contain matters of a dangerous import, and that he knew them not to be the hand-writing of the persons whose names were subscribed to them. This incident still further confirmed the king in his incredulity.

The matter had probably slept for ever, had it not been for the anxiety of the duke; who, hearing that priests and jesuits, and even

his own confessor, had been accused, was desirous that a thorough inquiry should be made by the council into the pretended conspiracy. Kirby and Tongue were inquired after, and were now found to be living in close connexion with Titus Oates, the person who was said to have conveyed the first intelligence to Tongue. Oates affirmed, that he had fallen under suspicion with the Jesuits; that he had received three blows with a stick, and a box on the ear from the provincial of that order, for revealing their conspiracy: and that overhearing them speak of their intentions to punish him more severely, he had withdrawn, and concealed himself. This man, in whose breast was lodged a secret, involving the fate of kings and kingdoms, was allowed to remain in such necessity, that Kirby was obliged to supply him with daily bread; and it was a joyful surprise to him, when he heard that the council was at last disposed to take some notice of his intelligence. But as he expected more encouragement from the public, than from the king or his ministers, he thought proper, before he was presented to the council, to go with his two companions to sir Edmundsbury Godfrey, a noted and active justice of peace, and to give evidence before him of all the articles of the conspiracy.

OATES'S NARRATIVE.

THE wonderful intelligence, which Oates conveyed both to Godfrey and the council, and afterwards to the parliament, was to this purpose.¹ The pope, he said, on examining the matter in the congregation *de propaganda*, had found himself entitled to the possession of England and Ireland on account of the heresy of prince and people, and had accordingly assumed the sovereignty of these kingdoms. This supreme power he had thought proper to delegate to the society of Jesuits; and de Oliva, general of that order, in consequence of the papal grant, had exerted every act of regal authority, and particularly had supplied, by commissions under the seal of the society, all the chief offices, both civil and military. Lord Arundel was created chancellor, Lord Powis treasurer, sir William Godolphin privy-seal, Coleman secretary of state, Langhorne attorney general, lord Bellasis general of the papal army, lord Peters lieutenant general, Lord Stafford paymaster; and inferior commissions, signed by the provincial of the Jesuits, were distributed all over England. All the dignities too of the church were filled, and many of them with Spaniards and other foreigners. The provincial had held a consult of the Jesuits under his authority; where the king, whom they opprobriously called the Black Bastard, was solemnly tried and condemned as a heretic; and a resolution taken

to put him to death. Father le Shee (for so his great plotter and informer called father a Chaise, the noted confessor of the French king) had consigned in London ten thousand pounds to be paid to any man who should merit it by this assassination. A Spanish provincial had expressed like liberality: the prior of the Benedictines was willing to go the length of six thousand: the Dominicans approved of the action; but pleaded poverty. Ten thousand pounds had been offered to sir George Wakeman, the queen's physician, who demanded fifteen thousand, as a reward for so great a service; his demand was complied with; and five thousand had been paid him by advance. Lest this means should fail, four Irish ruffians had been hired by the Jesuits, at the rate of twenty guineas a-piece, to stab the king at Windsor; and Coleman, secretary to the late dutchess of York, had given, the messenger, who carried them orders, a guinea to quicken his diligence. Grove and Pickering were also employed to shoot the king with silver bullets: the former was to receive the sum of fifteen hundred pounds; the latter, being a pious man, was to be rewarded with thirty thousand masses, which, estimating masses at a shilling a-piece, amounted to a like value. Pickering would have executed his purpose, had not the flint at one time dropped out of his pistol, at another time the priming. Coniers, the Jesuit, had bought a knife at the price of ten shillings, which he thought was not dear, considering the purpose for which he intended it, to wit, stabbing the king. Letters of subscription were circulated among the catholics all over England to raise a sum for the same purpose. No less than fifty Jesuits had met in May last, at the Whitehorse tavern, where it was unanimously agreed to put the king to death. This synod did afterwards, for more convenience, divide themselves into many lesser cabals or companies; and Oates was employed to carry notes and letters from one to another, all tending to the same end, of murdering the king. He even carried from one company to another, a paper, in which they formally expressed their resolution of executing that deed; and it was regularly subscribed by all of them. A wager of a hundred pounds was laid, and stakes made, that the king should eat no more Christmas pies. In short, it was determined, to use the expression of a Jesuit, that if he would not become R. C. (Roman Catholic) he should no longer be C. R. (Charles Rex). The great fire of London had been the work of the Jesuits, who had employed eighty or eighty-six persons for that purpose, and had expended seven hundred fire-balls; but they had a good return for their money; for they had been able to pilfer goods from the fire to the amount of fourteen thousand pounds: the Jesuits had

also raised another fire on St. Margaret's Hill, whence they had stolen goods to the value of two thousand pounds: another at Southwark: and it was determined in like manner to burn all the chief cities in England. A paper model was already framed for the firing of London; the stations were regularly marked out, where the several fires were to commence; and the whole plan of operations was so concerted, that precautions were taken by the Jesuits to vary their measures, according to the variation of the wind. Fire-balls were familiarly called among them *Teuxbury mustard pills*; and were said to contain a notable biting sauce. In the great fire, it had been determined to murder the king; but he had displayed such diligence and humanity in extinguishing the flames, that even the Jesuits relented, and spared his life. Besides these assassinations and fires; in-*er-re-c-tions*, rebellions, and *ma-sa-c-r-es*, were projected by that religious order in all the three kingdoms. There were twenty thousand catholics in London, who would rise in four and twenty hours or less; and Jemison, a Jesuit, said that they might easily cut the throats of a hundred thousand protestants. Eight thousand catholics had agreed to take arms in Scotland. Ormond was to be murdered by four Jesuits; a general massacre of the Irish protestants was concerted; and forty thousand black bills were already provided for that purpose. Coleman had remitted two hundred thousand pounds to promote the rebellion in Ireland; and the French king was to land a great army in that island. Poole, who wrote the *Synopsis*, was particularly marked out for assassination; as was also Dr. Stillingfleet, a controversial writer against the papists. Burnet tells us, that Oates paid him the same compliment. After all this havoc, the crown was to be offered to the duke, but on the following conditions; that he received it as a gift from the pope; that he confirm all the papal commissions for offices and employments; that he ratify all past transactions, by pardoning the incendiaries, and the murderers of his brother and of the people; and that he consent to the utter extirpation of the protestant religion. If he refuse these conditions, he himself was immediately to be poisoned or assassinated. *To pot James must go*; according to the expression ascribed by Oates to the Jesuits.

Oates, the informer of this dreadful plot, was himself the most infamous of mankind. He was the son of an anabaptist preacher, chaplain to colonel Pride; but having taken orders in the church, he had been settled in a small living by the duke of Norfolk. He had been indicted for perjury; and by some means had escaped. He was afterwards a chaplain on board the fleet; whence he had been dismissed on complaint of some unna-

tural practices, not fit to be named. He then became a convert to the catholics; but he afterwards boasted, that his conversion was a mere pretence, in order to get into their secrets, and to betray them.² He was sent over to the Jesuits' college at St. Omers, and though above thirty years of age, he there lived some time among the students. He was dispatched on an errand to Spain; and thence returned to St. Omers; where the Jesuits, heartily tired of their convert, at last dismissed him from their seminary. It is likely, that, from resentment of this usage, as well as from want and indigence, he was induced, in combination with Tongue, to contrive that plot of which he accused the catholics.

This abandoned man, when examined before the council, betrayed his impostures in such a manner, as would have utterly discredited the most consistent story, and the most reputable evidence. While in Spain, he had been carried, he said, to don John, who promised great assistance to the execution of the catholic designs. The king asked him, what sort of a man don John was? he answered, a tall lean man; directly contrary to truth, as the king well knew.³ He totally mistook the situation of the Jesuits' college at Paris. Though he pretended great intimacies with Coleman, he knew him not, when placed very near him; and had no other excuse than that his sight was bad in randle light.⁴ He fell into like mistakes with regard to Wakeman.

Notwithstanding these objections, great attention was paid to Oates's evidence; and the plot became very soon the subject of conversation, and even the object of terror to the people. The violent animosity, which had been excited against the catholics in general, made the public swallow the grossest absurdities when they accompanied an accusation of those religionists: and the more diabolical any contrivance appeared, the better it suited the tremendous idea entertained of a Jesuit. Danby likewise, who stood in opposition to the French and catholic interest at court, was willing to encourage every story which might serve to discredit that party. By his suggestion, when a warrant was signed for arresting Coleman, there was inserted a clause for seizing his papers; a circumstance attended with the most important consequences.

COLEMAN'S LETTERS.

COLEMAN, partly on his own account, partly by orders from the duke, had been engaged in a correspondence with father la Chaise, with the pope's nuncio at Brussels, and with other catholics abroad; and being himself a fiery zealot, busy and sanguine, the expressions in his letters often betrayed great violence and indiscretion. His correspondence, during the

years 1674, 1675, and part of 1676, was seized, and contained many extraordinary passages. In particular, he said to la Chaise, "We have here a mighty work upon our hands, no less than the conversion of three kingdoms, and by that perhaps the utter subduing of a pestilent heresy, which has a long time domineered over a great part of this northern world. There were never such hopes of success, since the days of queen Mary, as now in our days. God has given us a prince," meaning the duke, "who is become (may I say a miracle) zealous of being the author and instrument of so glorious a work; but the opposition we are sure to meet with is also like to be great: so that it imports us to get all the aid and assistance we can." In another letter he said, "I can scarce believe myself awake, or the thing real, when I think of a prince in such an age as we live in, converted to such a degree of zeal and piety, as not to regard any thing in the world in comparison of God Almighty's glory, the salvation of his own soul, and the conversion of our poor kingdom." In other passages the interests of the crown of England, those of the French king, and those of the catholic religion, are spoken of as inseparable. The duke is also said to have connected his interests unalterably with those of Lewis. The king himself, he affirms, is always inclined to favour the catholics, when he may do it without hazard. "Money," Coleman adds, "cannot fail of persuading the king to any thing. There is nothing it cannot make him do, were it ever so much to his prejudice. It has such an absolute power over him, that he cannot resist it. Logic, built upon money, has in our court more powerful charms than any other sort of argument." For these reasons, he proposed to father la Chaise, that the French king should remit the sum of 300,000 pounds, on condition that the parliament be dissolved; a measure to which, he affirmed, the king was, of himself, sufficiently inclined, were it not for his hopes of obtaining money from that assembly. The parliament, he said, had already constrained the king to make peace with Holland, contrary to the interests of the catholic religion, and of his most christian majesty: and if they should meet again, they would surely engage him farther, even to the making of war against France. It appears also from the same letters, that the assembling of the parliament so late as April in the year 1675, had been procured by the intrigues of the catholic and French party, who thereby intended to show the Dutch and their confederates, that they could expect no assistance from England.

When the contents of these letters were publicly known, they diffused the panic, with which the nation began already to be seized on account of the popish plot. Men reasoned

more from their fears and their passions than from the evidence before them. It is certain, that the restless and enterprising spirit of the catholic church, particularly of the Jesuits, merits attention, and is, in some degree, dangerous to every other communion. Such zeal of proselytism actuates that sect, that its missionaries have penetrated into every nation of the globe; and, in one sense, there is a *popish plot* perpetually carrying on against all states, protestant, pagan, and mahometan. It is likewise very probable, that the conversion of the duke, and the favour of the king, had inspired the catholic priests with new hopes of recovering in these islands their lost dominion, and gave fresh vigour to that intemperate zeal by which they are commonly actuated. Their first aim was to obtain a toleration; and such was the evidence, they believed, of their theological tenets, that, could they but procure entire liberty, they must infallibly in time open the eyes of the people. After they had converted considerable numbers, they might be enabled, they hoped, to reinstate themselves in full authority, and entirely to suppress that heresy, with which the kingdom had so long been affected. Though these dangers to the protestant religion were distant, it was justly the object of great concern to find that the heir of the crown was so blinded with bigotry, and so deeply engaged in foreign interests; and that the king himself had been prevailed on, from low interests, to hearken to his dangerous insinuations. Very bad consequences might ensue from such perverse habits and attachments; nor could the nation and parliament guard against them with too anxious a precaution. But that the Roman pontiff could hope to assume the sovereignty of these kingdoms; a project which, even during the darkness of the eleventh and twelfth centuries, would have appeared chimerical: that he should delegate this authority to the Jesuits—that order in the Romish church, which was the most hated: that a massacre could be attempted of the protestants, who surpassed the catholics a hundred fold, and were invested with the whole authority of the state: that the king himself was to be assassinated, and even the duke, the only support of their party: these were such absurdities as no human testimony was sufficient to prove; much less the evidence of one man, who was noted for infamy, and who could not keep himself every moment from falling into the grossest inconsistencies. Did such intelligence deserve even so much attention as to be refuted, it would appear, that Coleman's letters were sufficient alone to destroy all its credit. For how could so long a train of correspondence be carried on, by a man so much trusted by the party; and yet no traces of insurrections, if really intended, of fires,

massacres, assassinations, invasions, he ever discovered in any single passage of these letters! But all such reflections, and many more, equally obvious, were vainly employed against that general prepossession with which the nation was seized. Oates's plot and Coleman's were universally confounded together: and the evidence of the latter being unquestionable, the belief of the former, aided by the passions of hatred and of terror, took possession of the whole people.

GODFREY'S MURDER. Oct. 17.

THERE was danger, however, lest time might open the eyes of the public; when the murder of Godfrey completed the general delusion, and rendered the prejudices of the nation absolutely incurable.

This magistrate had been missing some days; and after much search, and many surmises, his body was found lying in a ditch at Primrose-hill: the marks of strangling were thought to appear about his neck, and some contusions on his breast: his own sword was sticking in the body; but as no considerable quantity of blood, issued on drawing it, it was concluded, that it had been thrust in after his death, and that he had not killed himself: he had rings on his fingers, and money in his pocket: it was therefore inferred, that he had not fallen into the hands of robbers. Without farther reasoning, the cry rose, that he had been assassinated by the papists, on account of his taking Oates's evidence. This clamour was quickly propagated, and met with universal belief. The panic spread itself on every side with infinite rapidity; and all men, astonished with fear, and animated with rage, saw in Godfrey's fate all the horrible designs ascribed to the catholics; and no farther doubts remained of Oates's veracity. The voice of the nation united against that hated sect; and notwithstanding that the bloody conspiracy was supposed to be now detected, men could scarcely be persuaded that their lives were yet in safety. Each hour teemed with new rumours and surmises. Invasions from abroad, insurrections at home, even private murders and poisonings, were apprehended. To deny the reality of the plot was to be an accomplice: to hesitate was criminal: royalist, republican; churchman, sectary; courtier, patriot; all parties concurred in the illusion. The city prepared for its defence, as if the enemy were at its gates: the chains and posts were put up: and it was a noted saying at that time of sir Thomas Player, the chamberlain, that, were it not for these precautions, all the citizens might rise next morning with their throats cut.⁶

In order to propagate the popular frenzy, several artifices were employed. The dead body of Godfrey was carried into the city,

attended by vast multitudes. It was publicly exposed in the streets, and viewed by all ranks of men; and every one, who saw it, went away inflamed, as well by the mutual contagion of sentiments, as by the dismal spectacle itself. The funeral pomp was celebrated with great parade. The corpse was conducted through the chief streets of the city: seventy-two clergymen marched before: above a thousand persons of distinction followed after: and at the funeral sermon, two able-bodied divines mounted the pulpit, and stood on each side of the preacher, lest, in paying the last duties to this unhappy magistrate, he should, before the whole people, be murdered by the papists.⁷

In this disposition of the nation, reason could no more be heard than a whisper in the midst of the most violent hurricane. Even at present, Godfrey's murder can scarcely, upon any system, be rationally accounted for. That he was assassinated by the catholics, seems utterly improbable. These religionists could not be engaged to commit that crime from *policy*, in order to deter other magistrates from acting against them. Godfrey's fate was no-wise capable of producing that effect, unless it were publicly known, that the catholics were his murderers; an opinion which, it was easy to foresee, must prove the ruin of their party. Besides, how many magistrates, during more than a century, had acted in the most violent manner against the catholics, without its being ever suspected that any one had been cut off by assassination? Such jealous times as the present were surely ill fitted for beginning these dangerous experiments. Shall we therefore say, that the catholics were pushed on, not by policy, but by blind *revenge* against Godfrey? But Godfrey had given them little or no occasion of offence in taking Oates's evidence. His part was merely an act of form, belonging to his office; nor could he, or any man in his station, possibly refuse it. In the rest of his conduct, he lived on good terms with the catholics, and was far from distinguishing himself by his severity against that sect. It is even certain that he had contracted an intimacy with Coleman, and took care to inform his friend of the danger to which, by reason of Oates's evidence, he was at present exposed.

There are some writers, who, finding it impossible to account for Godfrey's murder by the machinations of the catholics, have recourse to the opposite supposition. They lay hold of that obvious presumption, that those commit the crime who reap advantage by it; and they affirm that it was Shaftesbury, and the heads of the popular party, who perpetrated that deed, in order to throw the odium of it on the papists. If this supposition be received, it must also be admitted, that the whole plot was the contrivance of those politicians; and that Oates acted altogether under their direction.

But it appears that Oates, dreading probably the opposition of powerful enemies, had very anxiously acquitted the duke, Danby, Ormond, and all the ministry—persons who were certainly the most obnoxious to the popular leaders. Besides the whole texture of the plot contains such low absurdity, that it is impossible to have been the invention of any man of sense or education. It is true, the more monstrous and horrible the conspiracy, the better was it fitted to terrify, and thence to convince, the populace: but this effect, we may safely say, no one could before-hand have expected; and a fool was in this case more likely to succeed than a wise man. Had Shaftesbury laid the plan of a popish conspiracy, he had probably rendered it moderate, consistent, credible; and on that very account had never met with the prodigious success, with which Oates's tremendous fictions were attended.

We must, therefore, be contented to remain for ever ignorant of the actors in Godfrey's murder; and only pronounce in general, that that event, in all likelihood, had no connexion, one way or other, with the popish plot. Any man, especially so active a magistrate as Godfrey, might, in such a city as London, have many enemies, of whom his friends and family had no suspicion. He was a melancholy man; and there is some reason, notwithstanding the pretended appearances to the contrary, to suspect that he fell by his own hands. The affair was never examined with tranquillity, or even with common sense, during the time; and it is impossible for us, at this distance, certainly to account for it.

No one doubted but the papists had assassinated Godfrey; but still the particular actors were unknown. A proclamation was issued by the king, offering a pardon and a reward of five hundred pounds to any one who should discover them. As it was afterwards surmised, that the terror of a like assassination would prevent discovery, a new proclamation was issued, promising absolute protection to any one who should reveal the secret. Thus were indemnity, money, and security offered, to the fairest bidder: and no one needed to fear, during the present fury of the people, that his evidence would undergo too severe a scrutiny.

THE PARLIAMENT. Oct. 21.

WHILE the nation was in this ferment, the parliament was assembled. In his speech the king told them, that, though they had given money for disbanding the army,⁸ he had found Flanders so exposed, that he had thought it necessary still to keep them on foot, and doubted not but this measure would meet with their approbation. He informed them, that his revenue lay under great anticipations, and at best was never equal to the constant and

necessary expence of government; as would appear from the state of it, which he intended to lay before them. He also mentioned the plot formed against his life by Jesuits; but said, that he would forbear delivering any opinion of the matter, lest he should seem to say too much or too little; and that he would leave the scrutiny of it entirely to the law.

The king was anxious to keep the question of the popish plot from the parliament; where, he suspected, many designing people would very much abuse the present credulity of the nation: but Danby, who hated the catholics, and courted popularity, and perhaps hoped that the king, if his life were believed in danger from the Jesuits, would be more cordially loved by the nation, had entertained opposite designs; and the very first day of the session, he opened the matter in the house of peers. The king was extremely displeased with this temerity, and told his minister, "Though you do not believe it, you will find, that you have given the parliament a handle to ruin yourself, as well as to disturb all my affairs; and you will surely live to repent it." Danby had afterwards sufficient reason to applaud the sagacity of his master.

ZEAL OF THE PARLIAMENT.

THE cry of the plot was immediately echoed from one house to the other. The authority of parliament gave sanction to that fury, with which the people were already agitated. An address was voted for a solemn fast: a form of prayer was contrived for that solemnity; and because the popish plot had been omitted in the first draught, it was carefully ordered to be inserted; lest omniscience should want intelligence, to use the words of an historian.⁹

In order to continue and propagate the alarm, addresses were voted for laying before the house such papers as might discover the horrible conspiracy; for the removal of popish recusants from London; for administering every where the oaths of allegiance and supremacy; for denying access at court to all unknown or suspicious persons; and for appointing the trainbands of London and Westminster to be in readiness. The lords Powis, Stafford, Arundel, Peters, and Bellasis, were committed to the Tower, and were soon after impeached for high treason. And both houses, after hearing Oates's evidence, voted, "That the lords and commons are of opinion, that there hath been, and still is, a damnable and hellish plot, contrived and carried on by the popish recusants, for assassinating the king, for subverting the government, and for rooting out and destroying the protestant religion."

So vehement were the houses, that they sat every day, forenoon and afternoon, on the subject of the plot: for no other business could

be attended to. A committee of lords was appointed to examine prisoners and witnesses: blank warrants were put into their hands, for the commitment of such as should be accused or suspected. Oates, who, though his evidence were true, must, by his own account, be regarded as an infamous villain, was by every one applauded, caressed, and called the saviour of the nation. He was recommended by the parliament to the king. He was lodged in Whitehall, protected by guards, and encouraged by a pension of 1200 pounds a year.

BEDLOE'S NARRATIVE.

It was not long before such bountiful encouragement brought forth new witnesses. William Bedloe, a man, if possible, more infamous than Oates, appeared next upon the stage.² He was of very low birth, had been used for several cheats and even thefts, had travelled over many parts of Europe under borrowed names, and frequently passed himself for a man of quality, and had endeavoured, by a variety of lies and contrivances, to prey upon the ignorant and unwary. When he appeared before the council, he gave intelligence of Godfrey's murder only, which he said, had been perpetrated in Somerset-house, where the queen lived, by papists, some of them servants in her family. He was questioned about the plot; but utterly denied all knowledge of it, and also asserted, that he had no acquaintance with Oates. Next day, when examined before the committee of lords, he bethought himself better, and was ready to give an ample account of the plot, which he found so anxiously inquired into.⁴ This narrative he made to tally, as well as he could, with that of Oates, which had been published: but that he might make himself acceptable by new matter, he added some other circumstances, and these still more tremendous and extraordinary. He said, that ten thousand men were to be landed from Flanders in Burlington Bay, and immediately to seize Hull: that Jersey and Guernsey were to be surprised by forces from Brst; and that a French fleet was, all last summer, hovering in the channel for that purpose: that the lords Powis and Peters were to form an army in Radnorshire, to be joined by another army, consisting of twenty or thirty thousand religious men and pilgrims, who were to land at Milford Haven from St. Iago in Spain: that there were forty thousand men ready in London; besides those, who would, on the alarm, be posted at every alehouse door, in order to kill the soldiers, as they came out of their quarters: that lord Stafford, Coleman, and father Ireland, had money sufficient to defray the expences of all these armaments: that he himself was to receive four thousand pounds, as one that could murder a man; as also a

commission from lord Bellasis, and a benediction from the pope: that the king was to be assassinated; all the protestants massacred, who would not seriously be converted; the government offered to one, if he would consent to hold it of the church, but if he should refuse that condition, as was suspected, the supreme authority would be given to certain lords under the nomination of the pope. In a subsequent examination before the commons, Bedloe added (for these men always brought out their intelligence successively and by piecemeal), that lord Carrington was also in the conspiracy for raising men and money against the government; as was likewise Lord Brudenel. These noblemen, with all the other persons mentioned by Bedloe, were immediately committed to custody by the parliament.

It is remarkable that the only resource of Spain, in her present decayed condition, lay in the assistance of England, and so far from being in a situation to transport ten thousand men for the invasion of that kingdom, she had solicited and obtained English forces to be sent into the garrisons of Flanders, which were not otherwise able to defend themselves against the French. The French too, we may observe, were at that very time in open war with Spain, and yet are supposed to be engaged in the same design against England; as if religious motives were become the sole actuating principle among sovereigns. But none of these circumstances, however obvious, were able, when set in opposition to multiplied horrors, antipathies, and prejudices, to engage the least attention of the populace: for such the whole nation were at this time become. The popish plot passed for incontestable: and had not men soon expected with certainty the legal punishment of these criminals, the catholics had been exposed to the hazard of an universal massacre. The torrent indeed of national prejudices ran so high, that no one, without the most imminent danger, durst venture openly to oppose it; nay, scarcely any one, without great force of judgment, could even secretly entertain an opinion contrary to the prevailing sentiments. The loud and unanimous voice of a great nation has mighty authority over weak minds; and even later historians are so swayed by the concurring judgment of such multitudes, that some of them have esteemed themselves sufficiently moderate, when they affirmed that many circumstances of the plot were true, though some were added, and others much magnified. But it is an obvious principle, that a witness, who perjures himself in one circumstance, is credible in none: and the authority of the plot, even to the end of the prosecutions, stood entirely upon witnesses. Though the catholics had been suddenly and unexpectedly detected, at the very moment when their

conspiracy, it is said, was ripe for execution; no arms, no ammunition, no money, no commissions, no papers, no letters, after the most rigorous search, ever were discovered, to confirm the evidence of Oates and Bedloe. Yet still the nation, though often frustrated, went on in the eager pursuit and confident belief of the conspiracy: and even the manifold inconsistencies and absurdities, contained in the narratives, instead of discouraging them, served only as farther incentives to discover the bottom of the plot, and were considered as slight objections, which a more complete information would fully remove. In all history it will be difficult to find such another instance of popular frenzy and bigoted delusion.

In order to support the panic among the people, especially among the citizens of London, a pamphlet was published with this title, "A narrative and impartial discovery of the horrid popish plot, carried on for burning and destroying the cities of London and Westminster with their suburbs; setting forth the several consults, orders, and resolutions of the Jesuits, concerning the same: by captain William Bedloe, lately engaged in that horrid design, and one of the popish committee for carrying on such fires." Every fire which had happened for several years past, is there ascribed to the machinations of the Jesuits, who purposed, as Bedloe said, by such attempts, to find an opportunity for the general massacre of the protestants; and in the mean time, were well pleased to enrich themselves, by pilfering goods from the fire.

The king, though he scrupled not, wherever he could speak freely, to throw the highest ridicule on the plot, and on all who believed it; yet found it necessary to adopt the popular opinion before the parliament. The torrent, he saw, ran too strong to be controlled; and he could only hope, by a seeming compliance, to be able, after some time, to guide and direct and elude its fury. He made therefore a speech to both houses; in which he told them, that he would take the utmost care of his person during these times of danger; that he was as ready as their hearts could wish, to join with them in all means for establishing the protestant religion, not only during his own time, but for all future ages; and that, provided the right of succession were preserved, he would consent to any laws for restraining a popish successor: and in conclusion, he exhorted them to think of effectual means for the conviction of popish recusants; and he highly praised the duty and loyalty of all his subjects, who had discovered such anxious concern for his safety.

These gracious expressions abated nothing of the vehemence of parliamentary proceedings. A bill was introduced for a new test, in which popery was denominated idolatry; and all members, who refused this test, were ex-

cluded from both houses. The bill passed the commons without much opposition; but in the upper house the duke moved that an exception might be admitted in his favour. With great earnestness, and even with tears in his eyes, he told them, that he was now to cast himself on their kindness, in the greatest concern which he could have in the world; and he protested, that whatever his religion might be, it should only be a private *thing* between God and his own soul, and never should appear in his public conduct. Notwithstanding this strong effort, in so important a point, he prevailed only by two voices; a sufficient indication of the general disposition of the people. "I would not have," said a noble peer, in the debate on this bill, "so much as a popish man or a popish woman to remain here; not so much as a popish dog or a popish bitch: not so much as a popish cat to purr or mew about the king." What is more extraordinary, this speech met with praise and approbation.

Encouraged by this general fury, the witnesses went still a step farther in their accusations; and though both Oates and Bedloe had often declared, that there was no other person of distinction, whom they knew to be concerned in the plot, they were now so audacious as to accuse the queen herself of entering into the design against the life of her husband. The commons, in an address to the king, gave countenance to this scandalous accusation; but the lords would not be prevailed with to join in the address. It is here, if any where, that we may suspect the suggestions of the popular leaders to have had place. The king, it was well known, bore no great affection to his consort; and now, more than ever, when his brother and heir was so much hated, had reason to be desirous of issue, which might quiet the jealous fears of his people. This very hatred, which prevailed against the duke, would much facilitate, he knew, any expedient that could be devised for the exclusion of that prince; and nothing farther seemed requisite for the king, than to give way in this particular to the rage and fury of the nation. But Charles, notwithstanding all allurements of pleasure, or interest, or safety, had the generosity to protect his injured consort: "They think," said he, "I have a mind to a new wife, but for all that, I will not see an innocent woman abused."¹⁰ He immediately ordered Oates to be strictly confined, seized his papers, and dismissed his servants; and this daring informer was obliged to make applications to parliament, in order to recover his liberty.

During this agitation of men's minds, the parliament gave new attention to the militia; a circumstance which, even during times of greatest tranquillity, can never prudently be neglected. They passed a bill, by which it was enacted, that a regular militia should be

kept in arms, during six weeks of the year, and a third part of them do duty every fortnight of that time. The popular leaders probably intended to make use of the general prejudices, and even to turn the arms of the people against the prince.¹¹ But Charles refused his assent to the bill, and told the parliament, that he would not, were it for half an hour, part so far with the power of the sword: but if they would contrive any other bill for ordering the militia, and still leave it in his power to assemble or dismiss them as he thought proper, he would willingly give it the royal assent. The commons, dissatisfied with this negative, though the king had never before employed that prerogative, immediately voted that all the new levied forces should be disbanded. They passed a bill, granting money for that purpose; but to show their extreme jealousy of the crown, besides appropriating the money by the strictest clauses, they ordered it to be paid, not into the exchequer, but into the chamber of London. The lords demurred with regard to so extraordinary a clause, which threw a violent reflection on the king's ministers, and even on himself, and by that means the act remained in suspense.

ACCUSATION OF DANBY.

It was no wonder, that the present ferment and credulity of the nation engaged men of infamous character and indigent circumstances to become informers, when persons of rank and condition could be tempted to give into that scandalous practice. Montague, the king's ambassador at Paris, had procured a seat in the lower house; and without obtaining or asking the king's leave, he suddenly came over to England. Charles, suspecting his intention, ordered his papers to be seized; but Montague, who foresaw this measure, had taken care to secrete one paper, which he immediately laid before the house of commons. It was a letter from the treasurer Danby, written in the beginning of the year, during the negotiations at Nimègue for the general peace. Montague was there directed to make a demand of money from France; or, in other words, the king was willing secretly to sell his good offices to Lewis, contrary to the general interests of the confederates, and even to those of his own kingdoms. The letter, among other particulars, contains these words: "In case the conditions of peace shall be accepted, the king expects to have six millions of livres a-year for three years, from the time that this agreement shall be signed between his majesty and the king of France; because it will probably be two or three years before the parliament will be in humour to give him any supplies after the making of any peace with France; and the ambassador here has always agreed to that

sum; but not for so long a time." Danby was so unwilling to engage in this negotiation, that the king to satisfy him, subjoined with his own hand these words: "This letter is writ by my order, C. R." Montague, who revealed this secret correspondence, had even the baseness to sell his base treachery at a high price to the French monarch.¹²

HIS IMPEACHMENT.

THE commons were inflamed with this intelligence against Danby; and carrying their suspicions farther than the truth, they concluded, that the king had all along acted in concert with the French court; and that every step, which he had taken in conjunction with the allies, had been illusory and deceitful. Desirous of getting to the bottom of so important a secret, and being pushed by Danby's numerous enemies, they immediately voted an impeachment of high treason against that minister, and sent up six articles to the house of peers. These articles were, That he had traitorously aggrandised to himself regal power, by giving instructions to his majesty's ambassadors, without the participation of the secretaries of state, or the privy-council: that he had traitorously endeavoured to subvert the government, and introduce arbitrary power; and to that end had levied and continued an army, contrary to act of parliament: that he had traitorously endeavoured to alienate the affections of his majesty's subjects, by negotiating a disadvantageous peace with France, and procuring money for that purpose: that he was popishly affected, and had traitorously concealed, after he had notice, the late horrid and bloody plot, contrived by the papists against his majesty's person and government: that he had wasted the king's treasure; and that he had, by indirect means, obtained several exorbitant grants from the crown.

It is certain that the treasurer, in giving instructions to an ambassador, had exceeded the bounds of his office; and as the genius of a monarchy, strictly limited, requires that the proper minister should be answerable for every abuse of power, the commons, though they here advanced a new pretension, might justify themselves by the utility, and even necessity of it. But in other respects their charge against Danby was very ill grounded. That minister made it appear to the house of lords, not only that Montague, the informer against him, had all along promoted the money-negotiations with France, but that he himself was ever extremely averse to the interests of that crown; which he esteemed pernicious to his master and to his country. The French nation, he said, had always entertained, as he was certainly informed, the highest contempt, both of the king's person and government. His diligence,

he added, in tracing and discovering the popish plot, was generally known; and if he had common sense, not to say common honesty, he would surely be anxious to preserve the life of a master, by whom he was so much favoured. He had wasted no treasure, because there was no treasure to waste. And though he had reason to be grateful for the king's bounty, he had made more moderate acquisitions than were generally imagined, and than others in his office had often done, even during a shorter administration.

DISSOLUTION OF THE LONG PARLIAMENT.

THE house of peers plainly saw, that allowing all the charge of the commons to be true, Danby's crime fell not under the statute of Edward III.; and though the words, *treason* and *traitorously*, had been carefully inserted in several articles, this appellation could not change the nature of things, or subject him to the penalties annexed to that crime. They refused, therefore, to censure Danby upon this irregular charge: the commons insisted on their demand; and a great contest was likely to arise, when the king, who had already seen sufficient instances of the ill-humour of the parliament, thought proper to prorogue them. This prorogation was soon after followed by a dissolution (30th Dec.)—a desperate remedy in the present disposition of the nation. But the disease, it must be owned, the king had reason to esteem desperate. The utmost rage had been discovered by the commons, on account of the popish plot; and their fury began already to point against the royal family, if not against the throne itself. The duke had been struck at in several motions: the treasurer had been impeached: all supply had been refused, except on the most disagreeable conditions: fears, jealousies, and antipathies were every day multiplying in parliament: and though the people were strongly infected with the same prejudices, the king hoped, that, by dissolving the present cabals, a set of men might be chosen more moderate in their pursuits, and less tainted with the virulence of faction.

ITS CHARACTER.

THUS came to a period a parliament, which had sitten during the whole course of this reign, one year excepted. Its conclusion was very different from its commencement. Being elected during the joy and festivity of the restoration, it consisted almost entirely of royalists; who were disposed to support the crown by all the liberality which the habits of that age would permit. Alarmed by the alliance with France, they gradually withdrew their confidence from the king; and finding him

still to persevere in a foreign interest, they proceeded to discover symptoms of the most refractory and most jealous disposition. The popish plot pushed them beyond all bounds of moderation; and before their dissolution, they seemed to be treading fast in the footsteps of the last long parliament, on whose conduct they threw at first such violent blame. In all their variations, they had still followed the opinions and prejudices of the nation; and ever seemed to be more governed by humour and party-views than by public interest, and more by public interest than by any corrupt or private influence.

During the sitting of the parliament, and after its prorogation and dissolution, the trials of the pretended criminals were carried on, and the courts of judicature, places which, if possible, ought to be kept more pure from injustice than even national assemblies themselves, were strongly infected with the same party-rage and bigoted prejudices. Coleman, the most obnoxious of the conspirators, was first brought to his trial. His letters were produced against him. They contained, as he himself confessed, much indiscretion: but unless so far as it is illegal to be a zealous catholic, they seemed to prove nothing criminal, much less treasonable, against him. Oates and Bedloe deposed that he had received a commission, signed by the superior of the Jesuits, to be papal secretary of state, and had consented to the poisoning, shooting, and stabbing of the king: he had even, according to Oates's deposition, advanced a guinea to promote those bloody purposes. These wild stories were confounded with the projects contained in his letters; and Coleman received sentence of death. The sentence was soon after executed upon him.¹³ He suffered with calmness and constancy, and to the last persisted in the strongest protestations of his innocence.

TRIAL OF IRELAND.

COLEMAN's execution was succeeded by the trial of father Ireland, who, it is pretended, had signed, together with fifty Jesuits, the great resolution of murdering the king. Grove and Pickering, who had undertaken to shoot him, were tried at the same time. The only witnesses against the prisoners were still Oates and Bedloe. Ireland affirmed, that he was in Staffordshire all the month of August last, a time when Oates's evidence made him in London. He proved his assertion by good evidence, and would have proved it by undoubted, had he not, most iniquitously, been debarred, while in prison, from all use of pen, ink, and paper, and denied the liberty of sending for witnesses. All these men, before their arraignment, were condemned in the

opinion of the judges, jury, and spectators; and to be a Jesuit, or even a catholic, was of itself a sufficient proof of guilt. The chief justice,¹⁴ in particular, gave sanction to all the narrow prejudices and bigoted fury of the populace. Instead of being counsel for the prisoners, as his office required, he pleaded the cause against them, brow-beat their witnesses, and on every occasion represented their guilt as certain and uncontroverted. He even went so far as publicly to affirm, that the papists had not the same principles which protestants have, and therefore were not entitled to that common *credence*, which the principles and practices of the latter call for. And when the jury brought in their verdict against the prisoners, he said, "You have done, gentlemen, like very good subjects, and very good christians, that is to say, like very good protestants; and now much good may their 30,000 masses do them!" alluding to the masses by which Pickering was to be rewarded for murdering the king. All these unhappy men went to execution, protesting their innocence—a circumstance which made no impression on the spectators. The opinion, that the Jesuits allowed of lies and mental reservations, for promoting a good cause, was at this time so universally received, that no credit was given to testimony delivered either by that order, or by any of their disciples. It was forgotten, that all the conspirators engaged in the gunpowder treason, and Garnet, the Jesuit, among the rest, had freely on the scaffold made confession of their guilt.

1679. Though Bedloe had given information of Godfrey's murder, he still remained a single evidence against the persons accused; and all the allurements of profit and honour had not hitherto tempted any one to confirm the testimony of that informer. At last means were found to complete the legal evidence. One France, a silversmith, and a catholic, had been accused by Bedloe of being an accomplice in the murder; and upon his denial had been thrown into prison, loaded with heavy irons, and confined to the condemned hole, a place cold, dark, and full of nastiness. Such rigours were supposed to be exercised by orders from the secret committee of lords, particularly Shaftesbury and Buckingham; who, in examining the prisoners, usually employed (as it is said, and indeed sufficiently proved) threatenings and promises, rigour and indulgence, and every art, under pretence of extorting the truth from them. France had not courage to resist, but confessed himself an accomplice in Godfrey's murder. Being asked concerning the plot, he also thought proper to be acquainted with it, conveyed some intelligence to the council. Among other absurd circumstances, he said, that one Le Fevre bought a second-hand sword of him; because he knew not, as

he said, what times were at hand: and France expressing some concern for poor tradesmen, if such times came; Le Fevre replied, that it would be better for tradesmen, if the catholic religion were restored: and particularly, that there would be more church work for silversmiths. All this information, with regard to the plot, as well as the murder of Godfrey, France solemnly retracted, both before the king and the secret committee; but being again thrown into prison, he was induced, by new terrors and new sufferings, to confirm his first information, and was now produced as a sufficient evidence.

Hill, Green, and Berry, were tried for Godfrey's murder; all of them men of low stations. Hill was servant to a physician: the other two belonged to the popish chapel at Somerset-house. It is needless to run over all the particulars of a long trial: it will be sufficient to say, that Bedloe's evidence and France's were, in many circumstances, totally irreconcilable; that both of them laboured under unsurmountable difficulties, not to say gross absurdities, and that they were invalidated by contrary evidence, which is altogether convincing. But all was in vain: the prisoners were condemned and executed (Feb. 21 & 28.) They all denied their guilt at their execution; and as Berry died a protestant, this circumstance was regarded as very considerable: but, instead of its giving some check to the general credulity of the people, men were only surprised, that a protestant could be induced at his death, to persist in so manifest a falsehood.

NEW ELECTIONS.

As the army could neither be kept up, nor disbanded, without money, the king, how little hopes soever he could entertain of more compliance, found himself obliged to summon a new parliament. The blood, already shed on account of the popish plot, instead of satiating the people, served only as an incentive to their fury; and each conviction of a criminal was hitherto regarded as a new proof of those horrible designs imputed to the papists. This election is perhaps the first in England, which, since the commencement of the monarchy, had been carried on by a violent contest between the parties, and where the court interested itself, to a high degree, in the choice of the national representatives. But all its efforts were fruitless, in opposition to the torrent of prejudices which prevailed. Religion, liberty, property, even the lives of men, were now supposed to be at stake; and no security, it was thought, except in a vigilant parliament, could be found against the impious and bloody conspirators. Were there any part of the nation to which the ferment, occasioned by the popish plot, had not as yet propagated

itself; the new elections, by interesting the whole people in public concerns, tended to diffuse it into the remotest corner; and the consternation universally excited, proved an excellent engine for influencing the electors. All the zealots of the former parliament were re-chosen: new one's were added; the presbyterians in particular, being transported with the most inveterate antipathy against popery, were very active and very successful in the elections. That party, it is said, first began at this time the abuse of splitting their frecholds, in order to multiply votes and electors. By accounts which came from every part of England, it was concluded, that the new representatives would, if possible, exceed the old in their refractory opposition to the court, and furious persecution of the catholics.

The king was alarmed, when he saw so dreadful a tempest arise from such small and unaccountable beginnings. His life, if Oates and Bedloe's information were true, had been aimed at by the catholics: even the duke's was in danger: the higher, therefore, the rage mounted against popery, the more should the nation have been reconciled to these princes, in whom, it appeared, the church of Rome resposed no confidence. But there is a sophistry, which attends all the passions; especially those into which the populace enter. Men gave credit to the informers, so far as concerned the guilt of the catholics. But they still retained their old suspicions, that these religionists were secretly favoured by the king, and had obtained the most entire ascendancy over his brother. Charles had too much penetration not to see the danger, to which the succession, and even his own crown and dignity, now stood exposed. A numerous party, he found, was formed against him; on the one hand composed of a populace, so credulous from prejudice, so blinded with religious antipathy, as implicitly to believe the most palpable absurdities; and conducted, on the other hand, by leaders so little scrupulous, as to endeavour, by encouraging perjury, subornation, lies, impostures, and even by shedding innocent blood, to gratify their own furious ambition, and subvert all legal authority. Roused from his lethargy by so imminent a peril, he began to exert that vigour of mind, of which, on great occasions, he was not destitute; and without quitting in appearance his usual facility of temper, he collected an industry, firmness, and vigilance, of which he was believed altogether incapable. These qualities, joined to dexterity and prudence, conducted him happily through the many shoals which surrounded him; and he was at last able to make the storm fall on the heads of those who had blindly raised, or artfully conducted it.

One chief step, which the king took, towards gratifying and appeasing his people and

parliament, was desiring the duke to withdraw beyond sea, that no farther suspicion might remain of the influence of popish counsels. The duke readily complied; but first required an order for that purpose, signed by the king, lest his absenting himself should be interpreted as a proof of fear or of guilt. He also desired that his brother should satisfy him, as well as the public, by a declaration of the illegitimacy of the duke of Monmouth.

• DUKE OF MONMOUTH.

JAMES duke of Monmouth was the king's natural son by Lucy Walters, and born about ten years before the restoration. He possessed all the qualities which could engage the affections of the populace; a distinguished valour, an affable address, a thoughtless generosity, a graceful person. He rose still higher in the public favour, by reason of the universal hatred to which the duke, on account of his religion, was exposed. Monmouth's capacity was mean; his temper pliant: so that, notwithstanding his great popularity, he had never been dangerous, had he not implicitly resigned himself to the guidance of Shaftesbury, a man of such a restless temper, such subtle wit, and such abandoned principles. That daring politician had flattered Monmouth with the hopes of succeeding to the crown. The story of a contract of marriage, passed between the king and Monmouth's mother, and secretly kept in a certain black box, had been industriously spread abroad, and was greedily received by the multitude. As the horrors of popery still pressed harder on them, they might be induced, either to adopt that fiction, as they had already done many others more incredible, or to commit open violation on the right of succession. And it would not be difficult, it was hoped, to persuade the king, who was extremely fond of his son, to give him the preference above a brother, who, by his imprudent bigotry, had involved him in such inextricable difficulties. But Charles, in order to cut off all such expectations, as well as to remove the duke's apprehensions, took care, in full council, to make a declaration of Monmouth's illegitimacy, and to deny all promise of marriage with his mother. The duke being gratified in so reasonable a request, willingly complied with the king's desire, and retired to Brussels.

NEW PARLIAMENT. *March 6.*

BUT the king soon found, that, notwithstanding this precaution, notwithstanding his concurrence in the prosecution of the popish plot, notwithstanding the zeal which he expressed, and even at this time exercised against the catholics, he had nowise obtained the

confidence of his parliament. The refractory humour of the lower house appeared in the first step which they took upon their assembling. It had ever been usual for the commons, in the election of their speaker, to consult the inclinations of the sovereign, and even the long parliament in 1641 had not thought proper to depart from so established a custom. The king now desired that the choice should fall on sir Thomas Meres; but Seymour, speaker to the last parliament, was instantly called to the chair, by a vote which seemed unanimous. The king, when Seymour was presented to him for his approbation, rejected him, and ordered the commons to proceed to a new choice. A great flame was excited. The commons maintained, that the king's approbation was merely a matter of form, and that he could not, without giving a reason, reject the speaker chosen: the king, that since he had the power of rejecting, he might, if he pleased, keep the reason in his own breast. As the question had never before been started, it might seem difficult to find principles, upon which it could be decided.¹⁵ By way of compromise, it was agreed to set aside both candidates. Gregory, a lawyer, was chosen; and the election was ratified by the king. It has ever since been understood that the choice of the speaker lies in the house; but that the king retains the power of rejecting any person disagreeable to him.

DANBY'S IMPEACHMENT.

SEYMOUR was deemed a great enemy to Danby; and it was the influence of that nobleman, as commonly supposed, which had engaged the king to enter into this ill-timed controversy with the commons. The impeachment therefore of Danby was, on that account the sooner revived; and it was maintained by the commons, that notwithstanding the intervening dissolution, every part of that proceeding stood in the same condition in which it had been left by the last parliament—a pretension which, though unusual, seems tacitly to have been yielded them. The king had beforehand had the precaution to grant a pardon to Danby; and in order to screen the chancellor from all attacks by the commons, he had taken the great seal into his own hands, and had himself affixed it to the parchment. He told the parliament, that, as Danby had acted in every thing by his orders, he was in no respect criminal: that his pardon, however, he would insist upon; and if it should be found any way defective in form, he would renew it again and again, till it should be rendered entirely complete: but that he was resolved to deprive him of all employments, and to remove him from court.

The commons were nowise satisfied with this concession. They pretended, that no

pardon of the crown could be pleaded in bar of an impeachment by the commons. The prerogative of mercy had hitherto been understood to be altogether unlimited in the king; and this pretension of the commons, it must be confessed, was entirely new. It was however not unsuitable to the genius of a monarchy strictly limited; where the king's ministers are supposed to be for ever accountable to national assemblies, even for such abuses of power as they may commit by orders from their master. The present emergency, while the nation was so highly inflamed, was the proper time for pushing such popular claims; and the commons failed not to avail themselves of this advantage. They still insisted on the impeachment of Danby. The peers in compliance with them, departed from their former scruples, and ordered Danby to be taken into custody. Danby absconded. The commons passed a bill, appointing him to surrender himself before a certain day, or in default of it, attainting him. A bill had passed the upper house, mitigating the penalty to be inflicted; but the peers thought proper to yield to the violence of the commons, and the bill of attainder was carried. Rather than undergo such severe penalties, Danby appeared, and was immediately committed to the Tower.

POPISH PLOT.

WHILE a protestant nobleman met with such violent prosecution, it was not likely that the catholics would be overlooked by the zealous commons. The credit of the popish plot still stood upon the oaths of a few infamous witnesses. Though such immense preparations were supposed to have been made in the very bowels of the kingdom, no traces of them, after the most rigorous inquiry, had as yet appeared. Though so many thousands, both abroad and at home, had been engaged in the dreadful secret; neither hope, nor fear, nor remorse, nor levity, nor suspicions, nor private resentment, had engaged any one to confirm the evidence. Though the catholics, particularly the Jesuits, were represented as guilty of the utmost indiscretion, inasmuch that they talked of the king's murder as common news, and wrote of it in plain terms by the common post; yet, among the great number of letters seized, no one contained any part of so complicated a conspiracy. Though the informers pretended that, even after they had resolved to betray the secret, many treasonable communications and papers had passed through their hands; they had not had the precaution to keep any one of them, in order to fortify their evidence. But all these difficulties, and a thousand more, were not found too hard of digestion by the nation and parliament. The

prosecution and farther discovery of the plot were still the object of general concern. The commons voted, that if the king should come to an untimely end, they would revenge his death upon the papists; not reflecting that this sect were not his only enemies. They promised rewards to new discoverers; not considering the danger, which they incurred, of granting bribes to perjury. They made Bedloe a present of 500 pounds, and particularly recommended the care of his safety to the duke of Monmouth. Colonel Sackville, a member, having in a private company, spoken opprobriously of those who affirmed that there was any plot, was expelled the house. The peers gave power to their committees to send for and examine such as would maintain the innocence of those who had been condemned for the plot. A pamphlet having been published to discredit the informers, and to vindicate the catholic lords in the Tower, these lords were required to discover the author, and thereby to expose their own advocate to prosecution. And both houses concurred in renewing the former vote, that the papists had undoubtedly entered into a *horrid* and *treasonable* conspiracy against the king, the state, and the protestant religion.

It must be owned that this extreme violence, in prosecution of so absurd an imposture, disgraces the noble cause of liberty, in which the parliament was engaged. We may even conclude from such impatience of contradiction, that the prosecutors themselves retained a secret suspicion that the general belief was but ill-grounded. The politicians among them were afraid to let in light, lest it might put an end to so useful a delusion: the weaker and less dishonest party took care, by turning their eyes aside, not to see a truth, so opposite to those furious passions, by which they were actuated, and in which they were determined obstinately to persevere.

Sir William Temple had lately been recalled from his foreign employments; and the king, who, after the removal of Danby, had no one with whom he could so much as discourse with freedom of public affairs, was resolved, upon Coventry's dismission, to make him one of his secretaries of state. But that philosophical patriot, too little interested for the intrigues of a court, too full of spleen and delicacy for the noisy turbulence of popular assemblies, was alarmed at the universal discontents and jealousies which prevailed, and was determined to make his retreat, as soon as possible, from a scene which threatened such confusion. Meanwhile, he could not refuse the confidence with which his master honoured him; and he resolved to employ it to the public service. He represented to the king, that, as the jealousies of the nation were extreme, it was necessary to cure them by some new remedy,

and to restore that mutual confidence, so requisite for the safety both of king and people: that to refuse every thing to the parliament in their present disposition, or to yield every thing, was equally dangerous to the constitution, as well as to public tranquillity: that if the king would introduce into his councils such men as enjoyed the confidence of his people, fewer concessions would probably be required; or if unreasonable demands were made, the king, under the sanction of such counsellors, might be enabled, with the greater safety, to refuse them: and that the heads of the popular party, being gratified with the king's favour, would probably abate of that violence by which they endeavoured at present to pay court to the multitude.

• • NEW COUNCIL.

THE king assented to these reasons; and, in concert with Temple, he laid the plan of a new privy-council, without whose advice he declared himself determined for the future to take no measure of importance. This council was to consist of thirty persons, and was never to exceed that number. Fifteen of the chief officers of the crown were to be continued, who, it was supposed, would adhere to the king, and, in case of any extremity, oppose the exorbitances of faction. The other half of the council was to be composed, either of men of character, detached from the court, or of those who possessed chief credit in both houses. And the king, in filling up the names of his new council, was well pleased to find that the members, in land and offices, possessed to the amount of 300,000 pounds a year; a sum nearly equal to the whole property of the house of commons, against whose violence the new council was intended as a barrier to the throne.¹⁶

This experiment was tried, and seemed at first to give some satisfaction to the public. The earl of Essex, a nobleman of the popular party, son of that lord Capel who had been beheaded a little after the late king, was created treasurer in the room of Danby: the earl of Sunderland, a man of intrigue and capacity, was made secretary of state: viscount Halifax, a fine genius, possessed of learning, eloquence, industry, but subject to inquietude and fond of refinements, was admitted into the council. These three, together with Temple, who often joined them, though he kept himself more detached from public business, formed a kind of cabinet council, from which all affairs received their first digestion. Shaftesbury was made president of the council, contrary to the advice of Temple, who foretold the consequence of admitting a man of so dangerous a character into any part of the public administration.

As Temple foresaw, it happened. Shaftesbury, finding that he possessed no more than the appearance of court-favour, was resolved still to adhere to the popular party, by whose attachment he enjoyed an undisputed superiority in the lower house, and possessed great influence in the other. The very appearance of court-favour, empty as it was, tended to render him more dangerous. His partisans, observing the progress which he had already made, hoped that he would soon acquire the entire ascendant; and he constantly flattered them, that if they persisted in their purpose, the king, from indolence, and necessity, and fondness for Monmouth, would at last be induced, even at the expence of his brother's right, to make them every concession.

Besides, the antipathy to popery, as well as jealousy of the king and duke, had taken too fast possession of men's minds, to be removed by so feeble a remedy as this new council projected by Temple. The commons, soon after the establishment of that council, proceeded so far as to vote unanimously, "That the duke of York's being a papist, and the hopes of his coming to the crown, had given the highest countenance to the present conspiracies and designs of the papists, against the king and the protestant religion." It was expected that a bill for excluding him the throne would soon be brought in. To prevent this bold measure, the king conceived some limitations, which he proposed to the parliament. He introduced his plan by the following gracious expressions: "And to show you that, while you are doing your parts, my thoughts have not been misemployed, but that it is my constant care to do every thing that may preserve your religion, and secure it for the future in all events, I have commanded my lord chancellor to mention several particulars, which, I hope, will be an evidence that, in all things which concern the public security, I shall not follow your zeal, but lead it."

LIMITATIONS ON A POPISH SUCCESSOR.

THE limitations projected were of the utmost importance, and deprived the successor of the chief branches of royalty. A method was there chalked out, by which the nation, on every new reign, could be ensured of having a parliament, which the king should not, for a certain time, have it in his power to dissolve. In case of a popish successor, the prince was to forfeit the right of conferring any ecclesiastical preferments: no member of the privy council, no judge of the common law, or in chancery, was to be put in or displaced but by consent of parliament: and the same precaution was extended to the military part of the government; to the lord lieutenants and deputy lieutenants of the counties, and to all officers of

the navy. The chancellor, of himself, added, "It is hard to invent another restraint; considering how much the revenue will depend upon the consent of parliament, and how impossible it is to raise money without such consent. But yet, if any thing else can occur to the wisdom of parliament, which may farther secure religion and liberty against a popish successor, without defeating the right of succession itself, his majesty will readily consent to it."

It is remarkable that, when these limitations were first laid before the council, Shaftesbury and Temple were the only members who argued against them. The reasons which they employed were diametrically opposite. Shaftesbury's opinion was, that the restraints were insufficient; and that nothing but the total exclusion of the duke could give a proper security to the kingdom. Temple, on the other hand, thought that the restraints were so rigorous as even to subvert the constitution; and that shackles, put upon a popish successor, would not afterwards be easily cast off by a protestant. It is certain that the duke was

extremely alarmed when he heard of this step taken by the king, and that he was better pleased even with the bill of exclusion itself, which, he thought, by reason of its violence and injustice, could never possibly be carried into execution. There is also reason to believe that the king would not have gone so far, had he not expected, from the extreme fury of the commons, that his concessions would be rejected, and that the blame of not forming a reasonable accommodation would by that means lie entirely at their door.

BILL OF EXCLUSION.

IT soon appeared that Charles had entertained a just opinion of the dispositions of the house. So much were the commons actuated by the cabals of Shaftesbury and other malcontents; such violent antipathy prevailed against popery, that the king's concessions, though much more important than could reasonably have been expected, were not embraced. A bill was brought in for the total exclusion of the duke from the crown of England and Ireland. It was there declared, that the sovereignty of these kingdoms, upon the king's death or resignation, should devolve to the person next in succession after the duke; that all acts of royalty which that prince should afterwards perform, should not only be void, but be deemed treason; that if he so much as entered any of these dominions, he should be deemed guilty of the same offence; and that all who supported his title should be punished as rebels and traitors. This important bill, which implied banishment as well as exclusion, passed the lower house by a majority of seventy-nine.

The commons were not so wholly employed about the exclusion-bill as to overlook all other securities to liberty. The country party, during all the last parliament, had much exclaimed against the bribery and corruption of the members; and the same reproach had been renewed against the present parliament. An inquiry was made into a complaint which was so dangerous to the honour of that assembly, but very little foundation was found for it. Sir Stephen Fox, who was the paymaster, confessed to the house that nine members received pensions to the amount of three thousand four hundred pounds: and after a rigorous inquiry by a secret committee, eight more pensioners were discovered. A sum also, about twelve thousand pounds, had been occasionally given or lent to others. The writers of that age pretend that Clifford and Danby had adopted opposite maxims with regard to pecuniary influence. The former endeavoured to gain the leaders and orators of the house, and deemed the others of no consequence. The latter thought it sufficient to gain a majority, however composed. It is likely that the means, rather than the intention, were wanting to both these ministers.

Pensions and bribes, though it be difficult entirely to exclude them, are dangerous expedients for government; and cannot be too carefully guarded against, nor too vehemently decried, by every one who has a regard to the virtue and liberty of a nation. The influence, however, which the crown acquires from the disposal of places, honours, and preferments, is to be esteemed of a different nature. This engine of power may become too forcible, but it cannot altogether be abolished, without the total destruction of monarchy, and even of all regular authority. But the commons at this time were so jealous of the crown, that they brought in a bill, which was twice read, excluding from the lower house all who possessed any lucrative office.

The standing army, and the king's guards, were by the commons voted to be illegal: a new pretension it must be confessed; but necessary for the full security of liberty and a limited constitution.

HABEAS CORPUS BILL.

ARBITRARY imprisonment is a grievance which, in some degree, has place almost in every government, except in that of Great Britain; and our absolute security from it we owe chiefly to the present parliament, a merit which makes some atonement for the faction and violence into which their prejudices had, in other particulars, betrayed them. The great charter had laid the foundation of this valuable part of liberty; the petition of right had renewed and extended it; but some provi-

sions were still wanting to render it complete, and prevent all evasion or delay from ministers and judges. The act of *habeas corpus*, which passed this session, served these purposes. By this act it was prohibited to send any one to a prison beyond sea. No judge, under severe penalties, must refuse to any prisoner a writ of *habeas corpus*, by which the gaoler was directed to produce in court the body of the prisoner (whence the writ has its name), and to certify the cause of his detainer and imprisonment. If the gaoler within twenty miles of the judge, the writ must be obeyed in three days; and so proportionably for greater distances: every prisoner must be indicted the first term after his commitment, and brought to trial in the subsequent term. And no man, after being enlarged by order of court, can be recommitment for the same offence. This law seems necessary for the protection of liberty in a mixed monarchy; and as it has not place in any other form of government, this consideration alone may induce us to prefer our present constitution to all others. It must, however, be confessed, that there is some difficulty to reconcile with such extreme liberty the full security and the regular police of a state, especially the police of great cities. It may also be doubted whether the low state of the public revenue in this period, and of the military power, did not still render some discretionary authority in the crown necessary to the support of government.

During these zealous efforts for the protection of liberty, no complaisance for the crown was discovered by this parliament. The king's revenue lay under great debts and anticipations: these branches granted in the year 1669 and 1670 were ready to expire: and the fleet was represented by the king as in great decay and disorder. But the commons, instead of being affected by these distresses of the crown, trusted chiefly to them for passing the exclusion-bill, and for punishing and displacing all the ministers who were obnoxious to them. They were therefore in no haste to relieve the king; and grew only the more assuming on account of his complaints and uneasiness. Jealous, however, of the army, they granted the same sum of 206,000 pounds, which had been voted for disbanding it by the last parliament; though the vote, by reason of the subsequent prorogation and dissolution, joined to some scruples of the lords, had not been carried into an act. This money was appropriated by very strict clauses; but the commons insisted not, as formerly, upon its being paid into the chamber of London.

The impeachment of the five popish lords in the Tower, with that of the earl of Danby, was carried on with vigour. The power of this minister, and his credit with the king, rendered him extremely obnoxious to the popular

leaders; and the commons hoped that, if he were pushed to extremity, he would be obliged, in order to justify his own conduct, to lay open the whole intrigue of the French alliance, which they suspected to contain a secret of the most dangerous nature. The king, on his part, apprehensive of the same consequences, and desirous to protect his minister, who was become criminal merely by obeying orders, employed his whole interest to support the validity of that pardon which had been granted him. The lords appointed a day for the examination of the question, and agreed to hear counsel on both sides: but the commons would not submit their pretensions to the discussion of argument and inquiry. They voted, that whoever should presume, without their leave, to maintain before the house of peers the validity of Danby's pardon, should be accounted a betrayer of the liberties of the English commons. And they made a demand, that the bishops, whom they knew to be devoted to the court, should be removed, not only when the trial of the earl should commence, but also when the validity of his pardon should be discussed.

The bishops before the reformation had always enjoyed a seat in parliament: but so far were they anciently from regarding that dignity as a privilege, that they affected rather to form a separate order in the state, independent of the civil magistrate, and accountable only to the pope and to their own order. By the constitutions, however, of Clarendon, enacted during the reign of Henry II. they were obliged to give their presence in parliament; but as the canon law prohibited them from assisting in capital trials, they were allowed in such cases the privilege of absenting themselves. A practice, which was at first voluntary, became afterwards a rule; and on the earl of Strafford's trial, the bishops, who would gladly have attended, and who were no longer bound by the canon law, were yet obliged to withdraw. It had been usual for them to enter a protest, asserting their right to sit; and this protest, being considered as a mere form, was always admitted and disregarded. But here was started a new question of no small importance. The commons, who were now enabled, by the violence of the people and the necessities of the crown, to make new acquisitions of powers and privileges, insisted that the bishops had no more title to vote in the question of the earl's pardon than in the impeachment itself. The bishops asserted that the pardon was merely a preliminary; and that, neither by the canon law nor the practice of parliament, were they ever obliged, in capital cases, to withdraw till the very commencement of the trial itself. If their absence was considered as a privilege, which was its real origin, it depended on their own choice,

how far they would insist upon it. If regarded as a diminution of their right of peerage, such unfavourable customs ought never to be extended beyond the very circumstance established by them; and all arguments, from a pretended parity of reason, were in that case of little or no authority.

PROROGATION AND DISSOLUTION OF THE PARLIAMENT. *July 10.*

THE house of lords was so much influenced by these reasons, that they admitted the bishops' right to vote, when the validity of the pardon should be examined. The commons insisted still on their withdrawing; and thus a quarrel being commenced between the two houses, the king, who expected nothing but fresh instances of violence from this parliament, began to entertain thoughts of laying hold of so favourable a pretence, and of finishing the session by a prorogation. While in this disposition, he was alarmed with sudden intelligence, that the house of commons was preparing a remonstrance, in order to inflame the nation still farther upon the favourite topics of the plot and of popery. He hastened, therefore, to execute his intention, even without consulting his new council, by whose advice he had promised to regulate his whole conduct. And thus were disappointed all the projects of the malcontents, who were extremely enraged at this vigorous measure of the king's. Shaftesbury publicly threatened that he would have the head of whoever had advised it. The parliament was soon after dissolved without advice of council; and writs were issued for a new parliament. The king was willing to try every means which gave a prospect of more compliance in his subjects; and, in case of failure, the blame, he hoped, would lie on those whose obstinacy forced him to extremities.

TRIAL AND EXECUTION OF THE FIVE JESUITS.

BUT, even during the recess of parliament, there was no interruption to the prosecution of the catholics accused of the plot: the king found himself obliged to give way to this popular fury. Whitebread, provincial of the Jesuits, Fenwic, Gavan, Turner, and Harcourt, all of them of the same order, were first brought to their trial. Besides Oates and Bedloe, Dugdale, a new witness, appeared against the prisoners. This man had been steward to lord Aston, and though poor, possessed a character somewhat more reputable than the other two, but his account of the intended massacres and assassinations was equally monstrous and incredible. He even asserted that 200,000 papists in England were ready to take arms.

The prisoners proved, by sixteen witnesses from St. Omers, students, and most of them young men of family, that Oates was in that seminary at the time when he swore that he was in London: but as they were catholics, and disciples of the Jesuits, their testimony, both with the judges and jury, was totally disregarded. Even the reception which they met with in court was full of outrage and mockery. One of them saying that Oates always continued at St. Omers, if he could believe his senses; "You papists," said the chief justice, "are taught not to believe your senses." It must be confessed that Oates, in opposition to the students of St. Omers, found means to bring evidence of his having been at that time in London: but this evidence, though it had, at that time, the appearance of some solidity, was afterwards discovered, when Oates himself was tried for perjury, to be altogether deceitful. In order farther to discredit that witness, the Jesuits proved, by undoubted testimony, that he had perjured himself in father Ireland's trial, whom they showed to have been in Staffordshire at the very time when Oates swore that he was committing treason in London. But all these pleas availed them nothing against the general prejudgers. They received sentence of death; and were executed, persisting to their last breath in the most solemn, earnest, and deliberate, though disregarded, protestations of their innocence.

The next trial was that of Laugborne, an eminent lawyer, by whom all the concerns of the Jesuits were managed. Oates and Bedloe swore, that all the papal commissions, by which the chief officers in England were filled with catholics, passed through his hands. When verdict was given against the prisoner, the spectators expressed their savage joy by loud acclamations. So high indeed had the popular rage mounted, that the witnesses for this unhappy man, on approaching the court, were almost torn in pieces by the rabble: one in particular was bruised to such a degree as to put his life in danger: and another, a woman, declared that, unless the court could afford her protection, she durst not give evidence: but as the judges could go no farther than promise to punish such as should do her any injury, the prisoner himself had the humanity to waive her testimony.

So far the informers had proceeded with success: their accusation was hitherto equivalent to a sentence of death. The first check which they received was on the trial of sir George Wakeman, the queen's physician, whom they accused of an intention to poison the king. It was a strong circumstance in favour of Wakeman, that Oates, in his first information before the council, had accused him only upon hearsay: and when asked by the chancellor, whether he had any thing farther to charge him

with? he added, "God forbid I should say any thing against sir George: for I know nothing more against him." On the trial he gave positive evidence of the prisoner's guilt. There were many other circumstances which favoured Wakeman: but what chiefly contributed to his acquittal, was the connexion of his cause with that of the queen, whom no one, even during the highest prejudices of the times, could sincerely believe guilty. The great importance of the trial made men recollect themselves, and recall that good sense and humanity which seemed, during some time, to have abandoned the nation. The chief justice himself, who had hitherto favoured the witnesses, exaggerated the plot, and railed against the prisoners, was observed to be considerably mollified, and to give a favourable charge to the jury. Oates and Bedloe had the assurance to attack him to his face, and even to accuse him of partiality before the council. The whole party, who had formerly much extolled his conduct, now made him the object of their resentment. Wakeman's acquittal was indeed a sensible mortification to the furious prosecutors of the plot, and fixed an indelible stain upon the witnesses. But Wakeman, after he recovered his liberty, finding himself exposed to such inveterate enmity, and being threatened with farther prosecutions, thought it prudent to retire beyond sea: and his flight was interpreted as a proof of guilt, by those who were still resolved to persist in the belief of the conspiracy.

STATE OF AFFAIRS IN SCOTLAND.

THE great discontents in England, and the refractory disposition of the parliament, drew the attention of the Scottish covenanters, and gave them a prospect of some time putting an end to those oppressions, under which they had so long laboured. It was suspected to have been the policy of Lauderdale and his associates to push these unhappy men to extremities, and force them into rebellion, with a view of reaping profit from the forfeitures and attainders which would ensue upon it. But the covenanters, aware of this policy, had hitherto forbore all acts of hostility; and that tyrannical minister had failed of his purpose. An incident at last happened, which brought on an insurrection in that country.

The covenanters were much enraged against Sharpe, the primate, whom they considered as an apostate from their principles, and whom they experienced to be an unrelenting persecutor of all those who dissented from the established worship. He had an officer under him, one Carmichael, no less zealous than himself against conventicles, and who by his violent prosecutions had rendered himself extremely obnoxious to the fanatics. A company of these had way-laid him on the road near

St. Andrews (3rd May), with an intention, if not of killing him, at least of chastising him so severely as would afterwards render him more cautious in persecuting the non-conformists.¹⁷ While looking out for their prey, they were surprised at seeing the archbishop's coach pass by; and they immediately interpreted this incident as a declaration of the secret purpose of providence against him. But when they observed that almost all his servants, by some accident, were absent, they no longer doubted, but heaven had here delivered their capital enemy into their hands. Without farther deliberation, they fell upon him; dragged him from his coach; tore him from the arms of his daughter, who interposed with cries and tears; and pierced him with redoubled wounds, left him dead on the spot, and immediately dispersed themselves.

This atrocious action served the ministry as a pretence for a more violent persecution against the fanatics, on whom, without distinction, they threw the guilt of those furious assassins. It is indeed certain, that the murder of Sharpe had excited an universal joy among the covenanters, and that their blind zeal had often led them, in their books and sermons, to praise and recommend the assassination of their enemies, whom they considered as the enemies of all true piety and godliness. The stories of Jael and Sisera, of Ehud and Eglon, resounded from every pulpit. The officers quartered in the west, received more strict orders to find out and disperse all conventicles; and for that reason the covenanters, instead of meeting in small bodies, were obliged to celebrate their worship in numerous assemblies, and to bring arms for their security. At Rutherglen, a small borough near Glasgow, they openly set forth a declaration against prelacy; and in the market-place burned several acts of parliament and acts of council, which had established that mode of ecclesiastical government, and had prohibited conventicles. For this insult on the supreme authority, they purposely chose the 29th of May, the anniversary of the restoration; and previously extinguished the bonfires which had been kindled for that solemnity.

Captain Graham, afterwards viscount Dundee, an active and enterprising officer, attacked a great conventicle upon Loudon-hill, and was repulsed with the loss of thirty men. The covenanters, finding that they were unwarily involved in such deep guilt, were engaged to persevere, and to seek, from their valour and fortune alone, for that indemnity, which the severity of the government left them no hopes of ever being able otherwise to obtain. They pushed on to Glasgow; and though at first repulsed, they afterwards made themselves masters of that city; dispossessed the established clergy; and issued

proclamations, in which they declared that they fought against the king's supremacy, against popery and prelacy, and against a popish successor.

BATTLE OF BOTHWEL-BRIDGE.

How accidental soever this insurrection might appear, there is reason to suspect that some great men, in combination with the popular leaders in England, had secretly instigated the covenanters to proceed to such extremities,¹⁸ and hoped for the same effects that had forty years before ensued from the disorders in Scotland. The king also, apprehensive of like consequences, immediately dispatched thither Monmouth with a small body of English cavalry. That nobleman joined to these troops the Scottish guards, and some regiments of militia, levied from the well-affected counties; and with great celerity marched in quest of the rebels. They had taken post near Bothwel-castle, between Hamilton and Glasgow; where there was no access to them but over a bridge, which a small body was able to defend against the king's forces. They showed judgment in the choice of their post; but discovered neither judgment nor valour in any other step of their conduct. No nobility and few gentry had joined them: the clergy were in reality the generals; and the whole army never exceeded 8000 men. Monmouth attacked the bridge; and the body of rebels who defended it, maintained their post as long as their ammunition lasted. When they sent for more, they received orders to quit their ground, and to retire backwards. This imprudent measure occasioned an immediate defeat of the covenanters. Monmouth passed the bridge without opposition, and drew up his forces opposite to the enemy. His cannon alone put them to rout. About 700 fell in the pursuit; for properly speaking there was no action. Twelve hundred were taken prisoners; and were treated by Monmouth with a humanity which they had never experienced in their own countrymen. Such of them as would promise to live peaceably were dismissed. About three hundred, who were so obstinate as to refuse this easy condition, were shipped for Barbadoes; but unfortunately perished in the voyage. Two of their clergy were hanged. Monmouth was of a generous disposition; and besides aimed at popularity in Scotland. The king intended to intrust the government of that kingdom in his hands. He had married a Scottish lady heir of a great family, and allied to all the chief nobility. And Lauderdale, as he was now declining in his parts, and was much decayed in his memory, began to lose with the king that influence which he had maintained during so many years; notwithstanding the

efforts of his numerous enemies both in Scotland and England, and notwithstanding the many violent and tyrannical actions of which he had been guilty. Even at present he retained so much influence as to poison all the good intentions which the king either of himself, or by Monmouth's suggestion, had formed with regard to Scotland. An act of indemnity was granted; but Lauderdale took care that it should be so worded as rather to afford protection to himself and his associates, than to the unhappy covenanters. And though orders

were given to connive thenceforwards at all conventicles, he found means, under a variety of pretences, to elude the execution of them. It must be owned however, to his praise, that he was the chief person, who, by his counsel, occasioned the expeditious march of the forces and the prompt orders given to Monmouth; and thereby disappointed all the expectations of the English malcontents, who, reflecting on the disposition of men's minds in both kingdoms, had entertained great hopes from the progress of the Scottish insurrection.

NOTES.

1 Oates's Narrative

2 Burnet, Richard, North, I. Lstrange,

3 Burnet, North.

4 North

5 Burnet, North, Trials.

6 North, p. 236

7 North, p. 205.

8 They had granted him 600,000 po^u for disbanding the army, for reimbursing the charges of his trial, &c. for paying the prison portion.

9 North, p. 207.

10 North Examen p. 186

11 Burnet, vol. i. p. 477.

12 Appendix to Sir John

13 December 3rd.

15 In 1666, the speaker said to Q Elizabeth, that without her allowance the election of the house was of no significance. D'Ewes's Journal, p. 97. In the parliament 1592, 1593, the speaker, who was Edw. Coke, like position D'Ewes, p. 159 Townshend, p. 35. So that this pretension

archbishop of Canterbury, lord Finch, chancellor, earl of Shaftesbury, president, earl of Anglesa, privy-seal, duke

of Althamar, duke of Monmouth, duke of Newcastle, duke of Lauderdale, duke of Ormond, marquis of Winchester, marquis of Worcester, earl of Arlington, earl of Salisbury, earl of Bridgewater, earl of Sunderland, earl of Essex, earl of Bath, viscount Fauconberg, viscount Halifax, bishop of London, lord Cavendish, secretary Coventry, sir Francis North, chief justice, sir Henry Capel, sir John Erskine, sir Thomas Chicheley, sir William Temple, Edward Seymour, &c. &c. &c. Powle.

17 Wodrow's History of the Sufferings of the Church of Scotland, vol. ii. p. 28.

18 Algernon Sidney's letters, p. 90.

CHAPTER LXVIII.

State of Parties.—State of the Ministry.—Meal-Tub Plot.—Whig and Tory.—A new Parliament.—Violence of the Commons.—Exclusion Bill.—Arguments for and against the Exclusion.—Exclusion Bill rejected.—Trial of Stafford—his Execution.—Violence of the Commons.—Dissolution of the Parliament.—New Parliament at Oxford.—Fitzharris's Case.—Parliament dissolved.—Victory of the Royalists.

STATE OF PARTIES.

THE king, observing that the whole nation concurred at first in the belief and prosecution of the popish plot, had found it necessary for his own safety, to pretend, in all public speeches and transactions, an entire belief and acquiescence in that famous absurdity, and by this artifice he had eluded the violent and irresistible torrent of the people. When a little time and recollection, as well as the execution of the pretended conspirators, had somewhat moderated the general fury, he was now enabled to form a considerable party, devoted to the interests of the crown, and determined to oppose the pretensions of the malcontents.

In every mixed government, such as that of England, the bulk of the nation will always incline to preserve the entire frame of the constitution; but according to the various prejudices, interests, and dispositions of men, some will ever attach themselves with more passion to the regal, others to the popular, part of the government. Though the king, after his restoration, had endeavoured to abolish the distinction of parties, and had chosen his ministers from among all denominations; no sooner had he lost his popularity, than he found it necessary to court the old cavalier party, and to promise them full compensation for that neglect of which they had hitherto complained. The present emergence made it still more necessary for him to apply for their support; and there were many circumstances which determined them, at this time, to fly to the assistance of the crown, and to the protection of the royal family.

A party, strongly attached to monarchy, will naturally be jealous of the right of succession, by which alone they believe stability to be preserved in the government, and a barrier fixed against the encroachments of popular assemblies. The project, openly embraced, of excluding the duke, appeared to that party a dangerous innovation: and the design, secretly projected, of advancing Monmouth, made them apprehensive lest the inconveniences of a disputed succession, should be propa-

gated to all posterity. While the jealous lovers of liberty maintained, that a king, whose title depended on the parliament, would naturally be more attentive to the interests, at least to the humours, of the people; the passionate admirers of monarchy considered all dependence as a degradation of kingly government, and a great step towards the establishment of a commonwealth of England.

But though his union with the political royalists brought great accession of force to the king, he derived no less support from the confederacy, which he had, at this time, the address to form with the church of England. He represented to the ecclesiastics the great number of presbyterians and other sectaries, who had entered into the popular party; the encouragement and favour which they met with; the loudness of their cries with regard to popery and arbitrary power. And he made the established clergy and their adherents apprehend, that the old scheme for the abolition of prelacy as well as monarchy was revived, and that the same miseries and oppressions awaited them, to which, during the civil wars and usurpations, they had so long been exposed.

The memory also of those dismal times united many indifferent and impartial persons to the crown, and begat a dread lest the zeal for liberty should engraft itself on fanaticism, and should once more kindle a civil war in the kingdom. Had not the king still retained the prerogative of dissolving the parliament, there was indeed reason to apprehend the renewal of all the pretensions and violences which had ushered in the last commotions. The one period appeared an exact counterpart to the other: but still discerning judges could perceive, both in the spirit of the parties and in the genius of the prince, a material difference; by means of which Charles was enabled at last, though with the imminent peril of liberty, to preserve the peace of the nation.

The cry against popery was loud; but it proceeded less from religious than from party zeal, in those who propagated, and even in those who adopted it. The spirit of enthusiasm had occasioned so much mischief, and

had been so successfully exploded, that it was not possible, by any artifice, again to revive and support it. Cant had been ridiculed, hypocrisy detected; the pretensions to a more thorough reformation, and to greater purity, had become suspicious; and instead of denouncing themselves the *godly* party, the appellation affected at the beginning of the civil wars, the present patriots were content with calling themselves the *good and honest* party:¹ a sure prognostic that their measures were not to be so furious, nor their pretensions so exorbitant.

The king too, though not endowed with the integrity and strict principles of his father, was bappy in a more amiable manner, and more popular address. Far from being distant, stately, or reserved, he had not a grain of pride or vanity in his whole composition;² but was the most affable, best bred man alive. He treated his subjects like noblemen, like gentlemen, like freemen; not like vassals or boors. His professions were plausible, his whole behaviour engaging; so that he won upon the hearts, even while he lost the good opinion, of his subjects, and often balanced their judgment of things by their personal inclination.³ In his public conduct likewise, though he had sometimes embraced measures dangerous to the liberty and religion of his people, he had never been found to persevere obstinately in them, but had always returned into that path, which their united opinion seemed to point out to him. And upon the whole, it appeared to many cruel, and even iniquitous, to remark too rigorously the failings of a prince, who discovered so much facility in correcting his errors, and so much lenity in pardoning the offences committed against himself.

STATE OF THE MINISTRY.

THE general affection borne the king appeared signally about this time. He fell sick at Windsor; and had two or three fits of a fever, so violent as made his life be thought in danger. A general consternation seized all ranks of men, increased by the apprehensions entertained of his successor. In the present disposition of men's minds, the king's death, to use an expression of sir William Temple,⁴ was regarded as the end of the world. The malcontents, it was feared, would proceed to extremities, and immediately kindle a civil war in the kingdom. Either their entire success, or entire failure, or even the balance and contest of parties, seemed all of them events equally fatal. The king's chief counsellors therefore, Essex, Halifax, and Sunderland, who stood on bad terms with Shaftesbury and the popular party, advised him to send secretly for the duke, that in case of any sinister accident, that prince might be ready to

assert his right against the opposition which he was likely to meet with. When the duke arrived (2nd Sept.), he found his brother out of danger; and it was agreed to conceal the invitation which he had received. His journey, however, was attended with important consequences. He prevailed on the king to disgrace Monmouth, whose projects were now known and avowed; to deprive him of his command in the army; and to send him beyond sea. He himself returned to Brussels; but made a short stay in that place. He obtained leave to retire to Scotland, under pretence still of quieting the apprehensions of the English nation; but in reality with a view of securing that kingdom in his interest.

Though Essex and Halifax had concurred in the resolution of inviting over the duke, they soon found, that they had not obtained his confidence, and that even the king, while he made use of their service, had no sincere regard for their persons. Essex in disgust resigned the treasury: Halifax retired to his country-seat; Temple, despairing of any accommodation among such enraged parties, withdrew almost entirely to his books and his gardens. The king who changed ministers as well as measures with great indifference, bestowed at this time his chief confidence on Hyde, Sunderland, and Godolphin. Hyde succeeded Essex in the treasury.

All the king's ministers, as well as himself, were extremely averse to the meeting of the new parliament, which they expected to find as refractory as any of the preceding. The elections had gone mostly in favour of the country party. The terrors of the plot had still a mighty influence over the populace; and the apprehensions of the duke's bigoted principles and arbitrary character weighed with men of sense and reflection. The king therefore resolved to prorogue the parliament, that he might try, whether time would allay those humours, which, by every other expedient, he had in vain attempted to mollify. In this measure he did not expect the concurrence of his council. He knew that those popular leaders, whom he admitted, would zealously oppose a resolution, which disconcerted all their schemes; and that the royalists would not dare, by supporting it, to expose themselves to the vengeance of the parliament, when it should be assembled. These reasons obliged him to take this step entirely of himself; and he only declared his resolution in council. It is remarkable, that, though the king had made profession never to embrace any measure without the advice of these counsellors, he had often broken that resolution, and had been necessitated, in affairs of the greatest consequence, to control their opinion. Many of them in disgust threw up about this time, particularly lord Russel, the most popular man in the nation, as well from

the mildness and integrity of his character, as from his zealous attachment to the religion and liberties of his country. Though carried into some excesses, his intentions were ever esteemed upright; and being heir to the greatest fortune in the kingdom, as well as void of ambition, men believed that nothing but the last necessity could ever engage him to embrace any desperate measures. Shaftesbury, who was, in most particulars, of an opposite character, was removed by the king from the office of president of the council; and the earl of Radnor, a man who possessed whimsical talents and splenetic virtues, was substituted in his place.

MEAL-TUB PLOT

It was the favour and countenance of the parliament, which had chiefly encouraged the rumour of plots; but the nation had gotten so much into that vein of credulity, and every necessitous villain was so much incited by the success of Oates and Bedloe, that, even during the prorogation, the people were not allowed to remain in tranquillity. There was one Dangerfield who had been in the land for crimes, transported, whipped, pilloried four times, fined for cheats, outlawed for felony, convicted of coming, exposed to all the public infamy which the laws could inflict on the basest and most shameful enormities. The credulity of the people, and the humour of the times, enabled even this man to become a person of consequence. He was the author of a new incident, called the *Meal-tub plot*, from the place where some papers relating to it, were found. The bottom of this affair it is difficult, and not very material, to discover. It only appears, that Dangerfield, under pretence of betraying the conspiracies of the presbyterians, had been countenanced by some catholics of condition, and had even been admitted to the duke's presence and the king's; and that, under pretence of revealing new popish plots, he had obtained access to Shaftesbury and some of the popular leaders. Which side he intended to cheat, is uncertain; or whether he did not rather mean to cheat both: but he soon found that the belief of the nation was more open to a popish than a presbyterian plot; and he resolved to strike in with the prevailing humour. Though no weight could be laid on his testimony, great clamour was raised; as if the court, by way of retaliation, had intended to load the presbyterians with the guilt of a false conspiracy. It must be confessed that the present period by the prevalence and suspicion of such mean and ignominious arts on all sides, throws a great stain on the British annals.

One of the most innocent artifices, practised by party men at this time, was the additional ceremony, pomp, and expence, with which a

pope-burning was celebrated in London (17th of Nov.): the spectacle served to entertain, and amuse, and inflame, the populace. The duke of Monmouth likewise came over without leave, and made a triumphant procession through many parts of the kingdom; extremely caressed and admired by the people. All these arts seemed requisite to support the general prejudices, during the long interval of parliament. Great endeavours were also used to obtain the king's consent for the meeting of that assembly. Seventeen peers presented a petition to this purpose. Many of the corporations imitated the example.....1680. Notwithstanding several marks of displeasure, and even a menacing proclamation from the king, petitions came from all parts, earnestly insisting on a session of parliament. The danger of popery, and the terrors of the plot, were never forgotten in any of these addresses.

WHIG AND TORY.

TUMULTUOUS petitioning was one of the chief artifices by which the malcontents in the last reign had attacked the crown: and though the manner of subscribing and delivering petitions was now somewhat regulated by act of parliament, the thing itself still remained; and was an admissible expedient for infesting the court, for spreading discontent, and for uniting the nation in any popular clamour. As the king found no law, by which he could punish those importunate, and, as he deemed them, undutiful sollicitations, he was obliged to encounter them by popular applications of a contrary tendency. Wherever the church and court party prevailed, addresses were framed, containing expressions of the highest regard to his majesty, the most entire acquiescence in his wisdom, the most dutiful submission to his prerogative, and the deepest *abhorrence* to those who endeavoured to encroach upon it, by prescribing to him any time for assembling the parliament. Thus the nation came to be distinguished into *petitioners* and *abhorrors*. Factions indeed were at this time extremely animated against each other. The very names, by which each party denominated its antagonist, discover the virulence and rancour which prevailed. For besides petitioner and abhorrer, appellations which were soon forgotten, this year is remarkable for being the epoch of the well-known epithets of *Whig* and *Tory*, by which, and sometimes without any material difference, this island has been so long divided. The court party reproached their antagonists with their affinity to the fanatical conventicles in Scotland, who were known by the name of *Whigs*: the country party found a resemblance between the courtiers and the popish banditti in Ireland, to whom the appellation of *Tory* was affixed. And after this manner, these

foolish terms of reproach came into public and general use; and even at present seem not nearer their end than when they were first invented.

The king used every art to encourage his partisans, and to reconcile the people to his government. He persevered in the great zeal which he affected against popery. He even allowed several priests to be put to death, for no other crime than their having received orders in the Romish church. It is singular, that one of them, called Evans, was playing at tennis, when the warrant for immediate execution was notified to him: he swore, that he would play out his set first. Charles, with the same view of acquiring popularity, formed an alliance with Spain, and also offered an alliance to Holland: but the Dutch, terrified with the great power of France, and seeing little resource in a country so distracted as England, declined acceptance. He had sent for the duke from Scotland, but desired him to return, when the time of assembling the parliament began to approach.

It was of great consequence to the popular party, while the meeting of parliament depended on the king's will, to keep the law, whose operations are perpetual, entirely on their side. The sheriffs of London by their office return the juries: it had been usual for the mayor to nominate one sheriff by drinking to him; and the common-hall had ever without dispute confirmed the mayor's choice. Sir Robert Clayton, the mayor, appointed one who was not acceptable to the popular party: the common-hall rejected him; and Bethel and Cornish, two independents, and republicans, and of consequence deeply engaged with the malecontents, were chosen by a majority of voices. In spite of all remonstrances and opposition, the citizens persisted in their choice; and the court party was obliged for the present to acquiesce.

Juries however were not so partial in the city; but that reason and justice, even when the popish plot was in question, could sometimes prevail. The earl of Castlemaine, husband to the dutchess of Cleveland, was acquitted about this time (23rd June), though accused by Oates and Dangerfield of an intention to assassinate the king. Sir Thomas Gascoigne, a very aged gentleman in the north, being accused by two servants, whom he had dismissed for dishonesty, received a like verdict. These trials were great blows to the plot, which now began to stagger, in the judgment of most men, except those who were entirely devoted to the country party. But in order still to keep alive the zeal against popery, the earl of Shaftesbury appeared in Westminster-hall, attended by the earl of Huntingdon, the lords Russel, Cavendish, Gray, Brandon, sir Henry Caverly, sir Gilbert Gerrard, sir William Cooper, and other

persons of distinction, and presented to the grand jury of Middlesex reasons for indicting the duke of York as a popish recusant. While the jury were deliberating on this extraordinary presentment, the chief justice sent for them, and suddenly, even somewhat irregularly, dismissed them. Shaftesbury however obtained the end for which he had undertaken this bold measure: he showed to all his followers the desperate resolution which he had embraced, never to admit of any accommodation or composition with the duke. By such daring conduct he gave them assurance, that he was fully determined not to desert their cause; and he engaged them to a like devoted perseverance in all the measures which he should suggest to them.

A NEW PARLIAMENT. Oct. 21.

As the kingdom was regularly and openly divided into two zealous parties, it was not difficult for the king to know that the majority of the new house of commons was engaged in interests opposite to the court: but that he might leave no expedient untried, which could compose the unhappy differences among his subjects, he resolved, at last, after a long interval, to assemble the parliament. In his speech, he told them that the several prorogations which he had made had been very advantageous to his neighbours, and very useful to himself: that he had employed that interval in perfecting with the crown of Spain an alliance, which had often been desired by former parliaments, and which, he doubted not, would be extremely agreeable to them: that, in order to give weight to this measure, and render it beneficial to Christendom, it was necessary to avoid all domestic dissensions, and to unite themselves firmly in the same views and purposes: that he was determined that nothing on his part should be wanting to such a salutary end; and provided the succession were preserved in its due and legal course, he would concur in any expedient for the security of the protestant religion: that the farther examination of the popish plot and the punishment of the criminals were requisite for the safety both of king and kingdom: and after recommending to them the necessity of providing, by some supplies, for the safety of Tangiers, he proceeded in these words: "But that which I value above all the treasure in the world, and which I am sure will give us greater strength and reputation both at home and abroad than any treasure can do, is a perfect union among ourselves. Nothing but this can restore the kingdom to that strength and vigour which it seems to have lost, and raise us again to that consideration which England hath usually possessed. All Europe have their eyes upon this assembly, and think their own happiness and misery, as

well as ours, will depend upon it. If we should be so unhappy as to fall into misunderstandings among ourselves to that degree as would render our friendship unsafe to trust to, it will not be wondered at, if our neighbours should begin to take new resolutions, and perhaps such as may be fatal to us. Let us therefore take care that we do not gratify our enemies, and discourage our friends, by any unseasonable disputes. If any such do happen, the world will see that it is no fault of mine: for I have done all that it was possible for me to do, to keep you in peace while I live, and to leave you so when I die. But from so great prudence and so good affection as yours, I can fear nothing of this kind; but do rely upon you all, that you will do your best endeavours to bring this parliament to a good and happy conclusion."

VIOLENCE OF THE COMMONS.

ALL these mollifying expressions had no influence with the commons. Every step which they took betrayed the zeal with which they were animated. They voted that it was the undoubted right of the subject to petition the king for the calling and sitting of parliament. Not content with this decision, which seems justifiable in a mixed monarchy, they fell with the utmost violence on all those *abhorrrers*, who, in their addresses to the crown, had expressed their disapprobation of those petitions. They did not reflect that it was as lawful for one party of men as for another, to express their sense of public affairs; and that the best established right may, in particular circumstances, be abused, and even the exercise of it become an object of abhorrence. For this offence, they expelled sir Thomas Withens. They appointed a committee for farther enquiry into such members as had been guilty of a like crime; and complaints were lodged against lord Paston, sir Robert Malverer, sir Bryan Stapleton, Taylor, and Turner. They addressed the king against sir George Jefferies, recorder of London, for his activity in the same cause; and they frightened him into a resignation of his office, in which he was succeeded by sir George Treby, a great leader of the popular party. They voted an impeachment against North, chief justice of the common pleas, for drawing the proclamation against tumultuous petitions: but upon examination found the proclamation so cautiously worded, that it afforded them no handle against him. A petition had been presented to the king from Taunton. "How dare you deliver me such a paper?" said the king to the person who presented it. "Sir," replied he, "my name is DARE." For this saucy reply, but, under other pretences, he had been tried, fined, and committed to prison. The commons now addressed the king for his liberty,

and for remitting his fine. Some printers also and authors of seditious libels they took under their protection.

Great numbers of the abhorrrers, from all parts of England, were seized by order of the commons, and committed to custody. The liberty of the subject, which had been so carefully guarded by the great charter, and by the late law of habeas corpus, was every day violated by their arbitrary and capricious commitments. The chief jealousy, it is true, of the English constitution is naturally and justly directed against the crown; nor indeed have the commons any other means of securing their privileges than by commitments, which, as they cannot beforehand be exactly determined by law, must always appear in some degree arbitrary. Sensible of these reasons, the people had hitherto, without murmuring, seen this discretionary power exercised by the house: but as it was now carried to excess and was abused to serve the purposes of faction, great complaints against it were heard from all quarters. At last, the vigour and courage of one Stowel of Exeter, an abhorrrer, put an end to the practice. He refused to obey the serjeant at arms, stood upon his defence, and said that he knew of no law by which they pretended to commit him. The house, finding it equally dangerous to proceed or to recede, got off by an evasion: they inserted in their votes, that Stowel was indisposed, and that a month's time was allowed him for the recovery of his health.

But the chief violence of the house of commons appeared in all their transactions with regard to the plot, which they prosecuted with the same zeal and the same credulity as their predecessors. They renewed the former vote, which affirmed the reality of the horrid popish plot; and, in order the more to terrify the people, they even asserted that, notwithstanding the discovery, the plot still subsisted. They expelled sir Robert Can, and sir Robert Yeomans, who had been complained of, for saying that there was no popish, but there was a presbyterian, plot. And they greatly lamented the death of Bedloe, whom they called a material witness, and on whose testimony they much depended. He had been seized with a fever at Bristol; had sent for chief justice North; confirmed all his former evidence, except that with regard to the duke and the queen; and desired North to apply to the king for some money to relieve him in his necessities. A few days after, he expired; and the whole party triumphed extremely in these circumstances of his death: as if such a testimony could be deemed the affirmation of a dying man, as if his confession of perjury in some instances could assure his veracity in the rest, and as if the perseverance of one profligate could outweigh the last words of so

many men, guilty of no crime but that of popery.

The commons even endeavoured, by their countenance and protection, to remove the extreme infamy with which Dangerfield was loaded, and to restore him to the capacity of being an evidence. The whole tribe of informers they applauded and rewarded; Jennison, Turberville, Dugdale, Smith, la Faria, appeared before them; and their testimony, however frivolous or absurd, met with a favourable reception: the king was applied to in their behalf for pensions and pardons: their narratives were printed with that sanction which arose from the approbation of the house: Dr. Tongue was recommended for the first considerable church preferment, which should become vacant. Considering men's determined resolution to believe, instead of admiring that a palpable falsehood should be maintained by witnesses, it may justly appear wonderful, that no better evidence was ever produced against the catholics.

EXCLUSION-BILL.

THE principal reasons, which still supported the clamour of the popish plot, were the apprehensions entertained by the people of the duke of York, and the resolution embraced by their leaders, of excluding him from the throne. Shaftesbury and many considerable men of the party, had rendered themselves irreconcilable with him, and could find their safety no way but in his ruin. Mohmoult's friends hoped that the exclusion of that prince would make way for their patron. The resentment against the duke's apostacy, the love of liberty, the zeal for religion, the attachment to faction, all these motives incited the country party. And above all, what supported the resolution of adhering to the exclusion, and rejecting all other expedients offered, was the hope artfully encouraged, that the king would at last be obliged to yield to their demand. His revenues were extremely burdened; and even if free, could scarcely suffice for the necessary charges of government, much less for that pleasure and expence to which he was inclined. Though he had withdrawn his countenance from Mohmoult, he was known secretly to retain a great affection for him. On no occasion had he ever been found to persist obstinately against difficulties and importunity. And as his beloved mistress, the dutchess of Portsmouth, had been engaged, either from lucrative views, or the hopes of making the succession fall on her own children, to unite herself with the popular party; this incident was regarded as a favourable prognostic of their success. Sunderland, secretary of state, who had linked his interest with that of the dutchess, had concurred in the same measure.

But besides friendship for his brother and a

regard to the right of succession, there were many strong reasons which had determined Charles to persevere in opposing the exclusion. All the royalists and the devotees to the church, that party by which alone monarchy was supported; regarded the right of succession as unviolable; and if abandoned by the king in so capital an article, it was to be feared that they would, in their turn, desert his cause, and deliver him over to the pretensions and usurpations of the country party. The country party, or the Whigs, as they were called, if they did not still retain some propensity towards a republic, were at least affected with a violent jealousy of regal power; and it was equally to be dreaded, that being enraged with past opposition, and animated by present success, they would, if they prevailed in this pretension, be willing, as well as able, to reduce the prerogative within very narrow limits. All menaces, therefore, all promises were again employed against the king's resolution: he never would be prevailed on to desert his friends, and put himself into the hands of his enemies. And having voluntarily made such important concessions, and tendered, over and over again, such strong limitations, he was well pleased to find them rejected by the obstinacy of the commons; and hoped that, after the spirit of opposition had spent itself in fruitless violence, the time would come, when he might safely appeal against his parliament to his people.

So much were the popular leaders determined to carry matters to extremities, that in less than a week after the commencement of the session, a motion was made for bringing in an exclusion-bill, and a committee was appointed for that purpose. This bill differed in nothing from the former, but in two articles, which showed still an increase of zeal in the commons: the bill was to be read to the people twice a-year in all the churches of the kingdom, and every one who should support the duke's title was rendered incapable of receiving a pardon, but by act of parliament.

The debates were carried on with great violence on both sides. (10th Nov.) The bill was defended by sir William Jones, who had now resigned his office of attorney-general, by lord Russel, by sir Francis Winnington, sir Harry Capel, sir William Pulteney, by colonel Titus, Treby, Hambden, Montague. It was opposed by sir Colclaine Jenkins, secretary of state, by John Erniey, chancellor of the exchequer, by Hyde, Seymour, Temple. The arguments, transmitted to us, may be reduced to the following topics.

ARGUMENTS FOR AND AGAINST THE EXCLUSION.

In every government, said the exclusionists, there is somewhere an authority absolute and

supreme; nor can any determination, how unusual soever, which receives the sanction of the legislature, admit afterwards of dispute or control. The liberty of a constitution, so far from diminishing this absolute power, seems rather to add force to it, and to give it greater influence over the people. The more members of the state concur in any legislative decision, and the more free their voice, the less likelihood is there that any opposition will be made to those measures which receive the final sanction of their authority. In England, the legislative power is lodged in king, lords, and commons, which comprehend every order of the community: and there is no pretext for exempting any circumstance of government, not even the succession of the crown, from so full and decisive a jurisdiction. Even express declarations have, in this particular, been made of parliamentary authority: instances have occurred where it has been exercised: and though prudential reasons may justly be alleged why such innovations should not be attempted but on extraordinary occasions, the power and right are forever vested in the community. But if any occasion can be deemed extraordinary, if any emergency can require unusual expedients, it is the present; when the heir to the crown has renounced the religion of the state, and has zealously embraced a faith totally hostile and incompatible. A prince of that communion can never put trust in a people so prejudiced against him: the people must be equally diffident of such a prince: foreign and destructive alliances will seem to one the only protection of his throne: perpetual jealousy, opposition, faction, even insurrections, will be employed by the other as the sole securities for their liberty and religion. Though theological principles, when set in opposition to passions, have often small influence on mankind in general, still less on princes; yet when they become symbols of faction, and marks of party distinctions, they concur with one of the strongest passions in the human frame, and are then capable of carrying men to the greatest extremities. Notwithstanding the better judgment and milder disposition of the king; how much has the influence of the duke already disturbed the tenor of government? How often engaged the nation into measures totally destructive of their foreign interests and honour, of their domestic repose and tranquillity? The more the absurdity and incredibility of the popish plot are insisted on, the stronger reason it affords for the exclusion of the duke; since the universal belief of it discovers the extreme antipathy of the nation to his religion, and the utter impossibility of ever bringing them to acquiesce peaceably under the dominion of such a sovereign. The prince, finding himself in so perilous a situation, must seek for security by desperate remedies, and by totally sub-

verting the privileges of a nation which had betrayed such hostile dispositions towards himself, and towards every thing which he deems the most sacred. It is in vain to propose limitations and expedients. Whatever share of authority is left in the duke's hands, will be employed to the destruction of the nation; and even the additional restraints, by discovering the public diffidence and aversion, will serve him as incitements to put himself in a condition entirely superior and independent. And as the laws of England still make resistance treason, and neither do nor can admit of any positive exceptions; what folly to leave the kingdom in so perilous and absurd a situation; where the greatest virtue will be exposed to the most severe proscription, and where the laws can only be saved by expedients, which these same laws have declared the highest crime and enormity.

The court party reasoned in an opposite manner. An authority, they said, wholly absolute and uncontrollable is a mere chimera, and is no where to be found in any human institutions. All government is founded on opinion and a sense of duty; and wherever the supreme magistrate, by any law or positive prescription, shocks an opinion regarded as fundamental, and established with a firmness equal to that of his own authority, he subverts the principle by which he himself is established, and can no longer hope for obedience. In European monarchies, the right of succession is justly esteemed a fundamental; and even though the whole legislature be vested in a single person, it would never be permitted him, by an edict, to disinherit his lawful heir, and call a stranger or more distant relation to the throne. Abuses in other parts of government are capable of redress, from more dispassionate enquiry or better information of the sovereign, and till then ought patiently to be endured: but violations of the right of succession draw such terrible consequences after them as are not to be paralleled by any other grievance or inconvenience. Vainly is it pleaded that England is a mixed monarchy; and that a law, assented to by king, lords, and commons, is enacted by the concurrence of every part of the state: it is plain that there remains a very powerful party, who may indeed be out-voted, but who never will deem a law, subversive of hereditary right, anywise valid or obligatory. Limitations, such as are proposed by the king, give no shock to the constitution, which, in many particulars, is already limited; and they may be so calculated as to serve every purpose sought for by an exclusion. If the ancient barriers against regal authority have been able, during so many ages, to remain impregnable; how much more, those additional ones, which, by depriving the monarch of power, tend so far to their own

security? The same jealousy too of religion, which has engaged the people to lay these restraints upon the successor, will extremely lessen the number of his partisans, and make it utterly impracticable for him, either by force or artifice, to break the fetters imposed upon him. The king's age and vigorous state of health promise him a long life: and can it be prudent to tear in pieces the whole state, in order to provide against a contingency, which, it is very likely, may never happen? No human schemes can secure the public in all possible, imaginable events; and the bill of exclusion itself, however accurately framed, leaves room for obvious and natural suppositions, to which it pretends not to provide any remedy. Should the duke have a son, after the king's death, must that son, without any default of his own, forfeit his title? or must the princess of Orange descend from the throne, in order to give place to the lawful successor? But were all these reasons false, it still remains to be considered that, in public deliberations, we seek not the expedient which is best in itself, but the best of such as are practicable. The king willingly consents to limitations, and has already offered some which are of the utmost importance: but he is determined to endure any extremity rather than allow the right of succession to be invaded. Let us beware of that factious violence, which leads to demand more than will be granted; lest we lose the advantage of those beneficial concessions, and leave the nation, on the king's demise, at the mercy of a zealous prince, irritated with the ill usage which, he imagines, he has already met with.

EXCLUSION-BILL REJECTED. Nov. 15.

In the house of commons, the reasoning of the exclusionists appeared the more convincing, and the bill passed by a great majority. It was in the house of peers that the king expected to oppose it with success. The court party was there so prevalent, that it was carried only by a majority of two to pay so much regard to the bill as even to commit it. When it came to be debated, the contest was violent. Shaftesbury, Sunderland, and Essex, argued for it: Halifax chiefly conducted the debate against it, and displayed an extent of capacity, and a force of eloquence, which had never been surpassed in that assembly. He was animated, as well by the greatness of the occasion, as by a rivalry with his uncle Shaftesbury; whom, during that day's debate, he seemed, in the judgment of all, to have totally eclipsed. The king was present during the whole debate, which was prolonged till eleven at night. The bill was thrown out by a considerable majority. All the bishops, except three, voted against it. Besides the influence of the court over them, the church of England, they imagined or pre-

ended, was in greater danger from the prevalence of presbyterianism than of popery, which, though favoured by the duke, and even by the king, was extremely repugnant to the genius of the nation. The commons discovered much ill-humour upon this disappointment. They immediately voted an address for the removal of Halifax from the king's councils and presence for ever. Though the pretended cause was his advising the late frequent prorogations of parliament, the real reason was apparently his vigorous opposition to the exclusion-bill. When the king applied for money to enable him to maintain Tangiers, which he declared his present revenues totally unable to defend, instead of complying, they voted such an address as was in reality a remonstrance, and one little less violent than that famous remonstrance, which ushered in the civil wars. All the abuses of government, from the beginning almost of the reign, were here insisted on; the Dutch war, the alliance with France, the prorogations and dissolutions of parliament; and as all these measures, as well as the *damnable* and *hellish* plot, are there ascribed to the machinations of papists, it was plainly insinuated that the king had, all along, lain under the influence of that party, and was in reality the chief conspirator against the religion and liberties of his people.

The commons, though they conducted the great business of the exclusion with extreme violence and even imprudence, had yet much reason for the jealousy which gave rise to it; but their vehement prosecution of the popish plot, even after so long an interval, discovers such a spirit, either of credulity or injustice, as admits of no apology. The impeachment of the catholic lords in the Tower was revived; and as viscount Stafford, from his age, infirmities, and narrow capacity, was deemed the least capable of defending himself, it was determined to make him the first victim, that his condemnation might pave the way for a sentence against the rest. The chancellor, now created earl of Nottingham, was appointed high-steward for conducting the trial.

TRIAL OF STAFFORD. Nov. 30.

THREE witnesses were produced against the prisoner; Oates, Dugdale, and Turberville. Oates swore, that he saw Fenwic, the Jesuit, deliver to Stafford a commission signed by de Oliva, general of the Jesuits, appointing him pay-master to the papal army, which was to be levied for the subduing of England: for this ridiculous imposture still maintained its credit with the commons. Dugdale gave testimony, that the prisoner, at Tixal, a seat of lord Aston's, had endeavoured to engage him in the design of murdering the king; and had promised him, besides the honour of being sainted

by the church, a reward of 500 pounds for that service. Turberville deposed, that the prisoner in his own house at Paris, had made him a like proposal. To offer money for murdering a king, without laying down any scheme by which the assassin may ensure some probability or possibility of escape, is so incredible in itself, and may so easily be maintained by any prostitute evidence, that an accusation of that nature, not accompanied with circumstances, ought very little to be attended to by any court of judicature. But notwithstanding the small hold which the witnesses afforded, the prisoner was able, in many material particulars, to discredit their testimony. It was sworn by Dugdale, that Stafford had assisted in a great consult of the catholics held at Tixal; but Stafford proved by undoubted testimony, that at the time assigned he was in Bath, and in that neighbourhood. Turberville had served a noviciate among the Dominicans; but having deserted the convent, he had enlisted as a trooper in the French army; and being dismissed that service, he now lived in London, abandoned by all his relations, and exposed to great poverty. Stafford proved, by the evidence of his gentleman and his page, that Turberville had never, either at Paris or at London, been seen in his company; and it might justly appear strange, that a person, who had so important a secret in his keeping, was so long entirely neglected by him.

The clamour and outrage of the populace, during the trial, were extreme: great abilities and eloquence were displayed by the managers, sir William bones, sir Francis Winnington, and serjeant Maynard: yet did the prisoner, under all these disadvantages, make a better defence than was expected, either by his friends or his enemies: the unequal contest in which he was engaged, was a plentiful source of compassion to every mind, seasoned with humanity. He represented that, during a course of forty years, from the very commencement of the civil wars, he had, through many dangers, difficulties, and losses, still maintained his loyalty: and was it credible, that now, in his old age, easy in his circumstances, but dispirited by infirmities, he would belie the whole course of his life, and engage against his royal master, from whom he had ever received kind treatment, in the most desperate and most bloody of all conspiracies? He remarked the infamy of the witnesses; the contradictions and absurdities of their testimony; the extreme indigence in which they had lived, though engaged, as they pretended, in a conspiracy with kings, princes, and nobles; the credit and opulence to which they were at present raised. With a simplicity and tenderness more persuasive than the greatest oratory, he still made protestations of his innocence, and could not forbear, every moment, expressing the most lively surprise and

indignation at the audacious impudence of the witnesses.

It will appear astonishing to us, as it did to Stafford himself, that the peers, after a solemn trial of six days, should, by a majority of twenty-four voices, give sentence against him. He received however with resignation the fatal verdict. *God's holy name be praised*, was the only exclamation which he uttered. When the high-steward told him that the peers would intercede with the king for remitting the more cruel and ignominious parts of the sentence, hanging and quartering, he burst into tears: but he told the lords that he was moved to this weakness, by his sense of their goodness, not by any terror of that fate which he was doomed to suffer.

It is remarkable that, after Charles, as is usual in such cases, had remitted to Stafford the hanging and quartering, the two sheriffs, Bethel and Cornish, indulging their own republican humour, and complying with the prevalent spirit of their party, ever jealous of monarchy, stated a doubt with regard to the king's power of exercising even this small degree of lenity. "Since he cannot pardon the whole," said they, "how can he have power to remit any part of the sentence?" They proposed the doubt to both houses: the peers pronounced it superfluous; and even the commons, apprehensive lest a question of this nature might make way for Stafford's escape, gave this singular answer: "This house is content, that the sheriffs do execute William late viscount Stafford by severing his head from his body *only*." Nothing can be a stronger proof of the fury of the times, than that lord Russel, notwithstanding the virtue and humanity of his character, seconded in the house this barbarous scruple of the sheriffs.

In the interval between the sentence and execution, many efforts were made to shake the resolution of the infirm and aged prisoner, and to bring him to some confession of the treason for which he was condemned. It was even rumoured, that he had confessed; and the zealous party-men, who, no doubt, had secretly, notwithstanding their credulity, entertained some doubts with regard to the reality of the popish conspiracy, expressed great triumph on the occasion. But Stafford, when again called before the house of peers, discovered many schemes, which had been laid by himself and others for procuring a toleration to the catholics, at least a mitigation of the penal laws enacted against them: and he protested that this was the sole treason of which he had ever been guilty.

Stafford now prepared himself for death with the intrepidity which became his birth and station, and which was the natural result of the innocence and integrity which, during the course of a long life, he had ever maintained.

his mind seemed even to collect new force from the violence and oppression under which he laboured. When going to execution (29th Dec.), he called for a cloak to defend him against the rigour of the season: "Perhaps," said he, "I may shake with cold; but I trust in God not for fear." On the scaffold, he continued, with reiterated and earnest asseverations, to make protestations of his innocence: all his fervour was exercised on that point: when he mentioned the witnesses, whose perjuries had bereaved him of life, his expressions were full of mildness and of charity. He solemnly disavowed all those immoral principles, which over-zealous protestants had ascribed without distinction to the church of Rome: and he hoped, he said, that the time was now approaching, when the present delusion would be dissipated; and when the force of truth, though late, would engage the whole world to make reparation to his injured honour.

The populace, who had exulted at Stafford's trial and condemnation, were now melted into tears at the sight of that tender fortitude which shone forth in each feature, and motion, and accent of this aged noble. Their profound silence was only interrupted by sighs and groans. With difficulty they found speech to assent to those protestations of innocence, which he frequently repeated: "We believe you, my lord! God bless you, my lord!" These expressions with a faltering accent flowed from them. The executioner himself was touched with sympathy. Twice he lifted up the axe, with an intent to strike the fatal blow; and as often felt his resolution to fail him. A deep sigh was heard to accompany his last effort, which laid Stafford for ever at rest. All the spectators seemed to feel the blow. And when the head was held up to them with the usual cry, *This is the head of a traitor*, no clamour of assent was uttered. Pity, remorse, and astonishment, had taken possession of every heart, and displayed itself in every countenance.

This is the last blood which was shed on account of the popish plot: an incident which, for the credit of the nation, it were better to bury in eternal oblivion; but which it is necessary to perpetuate, as well to maintain the truth of history, as to warn, if possible, their posterity and all mankind never again to fall into so shameful, so barbarous a delusion.

The execution of Stafford gratified the prejudices of the country party; but it contributed nothing to their power and security: on the contrary, by exciting commiseration, it tended still farther to increase that disbelief of the whole plot, which began now to prevail. The commons, therefore, not to lose the present opportunity, resolved to make both friends and enemies sensible of their power. They passed a bill for easing the protestant

dissenters, and for repealing the persecuting statute of the thirty-fifth of Elizabeth: this audable bill was likewise carried through the house of peers. The chief justice was very obnoxious for dismissing the grand jury in an irregular manner, and thereby disappointing that bold measure of Shaftesbury and his friends, who had presented the duke as a recusant. For this crime the commons sent up an impeachment against him; as also against Jones and Weston, two of the judges, who, in some speeches from the bench, had gone so far as to give to many of the first reformers the appellation of fanatics.

The king, in rejecting the exclusion bill, had sheltered himself securely behind the authority of the house of peers; and the commons had been deprived of the usual pretence, to attack the sovereign himself, under colour of attacking his ministers and counsellors. In prosecution, however, the scheme which he had formed, of throwing the blame on the commons in case of any rupture, he made them a new speech. After warning them, that a neglect of this opportunity would never be retrieved, he added these words: "I did promise you the fullest satisfaction, which your hearts could wish, for the security of the protestant religion, and to concur with you in any remedies, which might consist with preserving the succession of the crown in its due and legal course of descent. I do again, with the same reservations, renew the same promises to you: and being thus ready on my part to do all that can reasonably be expected from me, I should be glad to know from you, as soon as may be, how far I shall be assisted by you, and what it is you desire from me."

VIOLENCE OF THE COMMONS.

THE most reasonable objection against the limitations proposed by the king, is, that they introduced too considerable an innovation in the government, and almost totally annihilated the power of the future monarch. But considering the present disposition of the commons and their leaders, we may fairly presume, that this objection would have small weight with them, and that their disgust against the court would rather incline them to diminish than support regal authority. They still hoped, from the king's urgent necessities and his usual facility, that he would throw himself wholly into their hands; and that thus, without waiting for the accession of the duke, they might immediately render themselves absolute masters of the government. The commons therefore, besides insisting still on the exclusion, proceeded to bring in bills of an important, and some of them of an alarming nature one to renew the triennial act, which had been so inadvertently repealed in the beginning of

the reign: a second to make the office of judge during good behaviour: a third to declare the levying of money without consent of parliament to be high treason: a fourth to order an association for the safety of his majesty's person, for defence of the protestant religion, for the preservation of the protestant subjects against all invasions and opposition whatever, and for preventing the duke of York or any papist from succeeding to the crown. The memory of the covenant was too recent for men to overlook the consequences of such an association: and the king, who was particularly conversant in Davila, could not fail of recollecting a memorable foreign instance, to fortify this domestic experience.

The commons also passed many votes, which, though they had not the authority of laws, served however to discover the temper and disposition of the house. They voted, that whoever had advised his majesty to refuse the exclusion-bill, were promoters of popery and enemies to the king and kingdom. In another vote, they named the marquis of Worcester, the earls of Clarendon, Feversham, and Halifax, Laurence Hyde, and Edward Seymour, as those dangerous enemies; and they requested his majesty to remove them from his person and councils for ever: they voted that, till the exclusion-bill were passed, they could not, consistent with the trust reposed in them, grant the king any manner of supply. And lest he should be enticed, by any other expedient, to support the government, and preserve himself independent, they passed another vote, in which they declared that whoever should hereafter lend, by way of advance, any money upon those branches of the king's revenue, arising from customs, excise, or hearth-money, should be judged a hinderer of the sitting of parliament, and be responsible for the same in parliament.

DISSOLUTION OF THE PARLIAMENT.

Jan. 10, 1641.

THE king might presume that the peers, who had rejected the exclusion bill, would still continue to defend the throne, and that none of the dangerous bills, introduced into the other house, would ever be presented for the royal assent and approbation. But as there remained no hopes of bringing the commons to any better temper, and as their farther sitting served only to keep faction alive, and to perpetuate the general ferment of the nation, he came secretly to a resolution of proroguing them. They got intelligence about a quarter of an hour before the black rod came to their door. Not to lose such precious time, they passed in a tumultuous manner some extraordinary resolutions. They voted, that whosoever advised his majesty to

prorogue this parliament to any other purpose than in order to pass the bill of exclusion, was a betrayer of the king, of the protestant religion, and of the kingdom of England; a promoter of the French interest, and a pensioner of France: that thanks be given to the city of London for their manifest loyalty, and for their care and vigilance in the preservation of the king, and of the protestant religion, that it is the opinion of this house, that that city was burned in the year 1666 by the papists, designing thereby to introduce arbitrary power and popery into the kingdom. That humble application be made to his majesty for restoring the duke of Monmouth to all his offices and commands, from which, it appears to the house, he had been removed by the influence of the duke of York: and that it is the opinion of the house that the prosecution of the protestant dissenters upon the

al la to the subject, a weakening of the protestant interest, an encouragement of popery, and dangerous to the peace of the kingdom.

The king passed some laws of no great importance. But the bill for repealing the thirty-fifth of Elizabeth, he privately ordered the clerk of the crown not to present to him. By this artifice, which was equally disobliging to the country party as if the bill had been rejected, and at the same time implied some timidity in the king, that salutary act was for the present eluded. The king had often of himself attempted, and sometimes by irregular means, to give indulgence to non-conformists: but besides that he had usually expected to comprehend the catholics in this liberty, the present refractory disposition of the sectaries had much incensed him against them; and he was resolved, if possible, to keep them still at mercy.

The last votes of the commons seemed to be an attempt of forming indirectly an association against the crown, after they found that their association bill could not pass: the dissenting interest, the city, and the duke of Monmouth, they endeavoured to connect with the country party. A civil war indeed never appeared so likely as at present; and it was high time for the king to dissolve a parliament, which seemed to have entertained such dangerous projects. Soon after, he summoned another. Though he observed, that the country party had established their interest so strongly in all the electing boroughs, that he could not hope for any disposition more favourable in the new parliament, this expedient was still a prosecution of his former project, of trying every method by which he might form an accommodation with the commons: and if all failed, he hoped that he could the better justify to his people, at least to his party, a final breach with them.

It had always been much regretted by the royalists, during the civil wars, that the long parliament had been assembled at Westminster, and had thereby received force and encouragement from the vicinity of a potent and factious city, which had zealously embraced their party. Though the king was now possessed of guards, which in some measure overawed the populace, he was determined still farther to obviate all inconveniencies; and he summoned the new parliament to meet at Oxford. The city of London showed how just a judgment he had formed of their dispositions. Besides re-electing the same members, they voted thanks to them for their former behaviour, in endeavouring to discover the depth of the *horrid and hellish* popish plot, and to exclude the duke of York, the principal cause of the ruin and misery impending over the nation. Monmouth with fifteen peers presented a petition against assembling the parliament at Oxford, "where the two houses," they said, "could not be in safety; but would be easily exposed to the swords of the papists and their adherents, of whom too many had crept into his majesty's guards." These insinuations, which pointed so evidently at the king himself, were not calculated to persuade him, but to inflame the people.

The exclusionists might have concluded, both from the king's dissolution of the last parliament, and from his summoning of the present to meet at Oxford, that he was determined to maintain his declared resolution of rejecting their favourite bill: but they still flattered themselves that his urgent necessities would influence his easy temper, and finally gain them the ascendant. The leaders came to parliament, attended not only by their servants, but by numerous bands of their partisans. The four city members in particular were followed by great multitudes, wearing ribbons, in which were woven these words, *No popery! no slavery!* The king had his guards regularly mustered: his party likewise endeavoured to make a show of their strength: and on the whole, the assembly at Oxford rather bore the appearance of a tumultuous Polish diet, than of a regular English parliament.

NEW PARLIAMENT AT OXFORD.

March 21.

THE king, who had hitherto employed the most gracious expressions to all his parliaments, particularly the two last, thought proper to address himself to the present in a more authoritative manner. He complained of the unwarrantable proceedings of the former house of commons; and said that, as he would never use arbitrary government himself, neither would he ever suffer it in others. By calling, however, this parliament so soon, he had suf-

ficiently shown that no past irregularities could inspire him with a prejudice against those assemblies. He now afforded them, he added, yet another opportunity of providing for the public safety; and to all the world had given one evidence more, that on his part he had not neglected the duty incumbent on him.

The commons were not overawed by the magisterial air of the king's speech. They consisted almost entirely of the same members; they chose the same speaker; and they instantly fell into the same measures, the impeachment of Danby, the repeal of the persecuting statute of Elizabeth, the enquiry into the popish plot, and the bill of exclusion. So violent were they on this last article, that no other expedient, however plausible, could so much as be hearkened to. Ernley, one of the king's ministers, proposed that the duke should be banished, during life, five hundred miles from England, and that on the king's demise the next heir should be constituted regent with regal power: yet even this expedient, which left the duke only the bare title of king, could not, though seconded by sir Thomas Littleton and sir Thomas Mompesson, obtain the attention of the house. The past disappointments of the country party, and the opposition made by the court, had only rendered them more united, more haughty, and more determined. No method but their own, of excluding the duke, could give them any satisfaction.

FITZ-HARRIS'S CASE.

THERE was one Fitz-harris, an Irish catholic, who had insinuated himself into the dutchess of Portsmouth's acquaintance, and had been very busy in conveying to her intelligence of any libel written by the country party, or of any designs entertained against her or against the court. For services of this kind, and perhaps too, from a regard to his father, sir Edward Fitz-harris, who had been an eminent royalist, he had received from the king a present of 250 pounds. This man met with one Everard, a Scotchman, a spy of the exclusionists, and an informer concerning the popish plot: and he engaged him to write a libel against the king, the duke, and the whole administration. What Fitz-harris's intentions were, cannot well be ascertained: it is probable, as he afterwards asserted, that he meant to carry this libel to his patron, the dutchess, and to make a merit of the discovery. Everard, who suspected some other design, and who was well pleased on his side to have the merit of a discovery with his patrons, resolved to betray his friend: he posted sir William Waller, a noted justice of peace, and two persons more, behind the hangings, and gave them an opportunity of seeing and hearing the whole transaction. The libel, sketched out by Fitz-harris, and executed

partly by him, partly by Everard, was the most furious, indecent, and outrageous performance imaginable; and such as was fitter to hurt than serve any party, which should be so imprudent as to adopt it. Waller carried the intelligence to the king, and obtained a warrant for committing Fitz-harris, who happened, at that very time, to have a copy of the libel in his pocket. Finding himself now delivered over to the law, he resolved to pay court to the popular party, who were alone able to protect him, and by whom he observed almost all trials to be governed and directed. He affirmed, that he had been employed by the court to write the libel, in order to throw the odium of it on the exclusionists: but this account, which was within the bounds of credibility, he disgraced by circumstances which are altogether absurd and improbable. The intention of the ministers, he said, was to send about copies to all the heads of the country party; and the moment they received them, they were to be arrested, and a conspiracy to be imputed to them. That he might merit favour by still more important intelligence, he commenced a discoverer of the great popish plot; and he failed not to confirm all the tremendous circumstances insisted on by his predecessors. He said, that the second Dutch war was entered into with a view of extirpating the protestant religion, both abroad and at home; that father Barry, a Jesuit, on the disappointment by the peace, told him, that the catholics resolved to murder the king, and had even engaged the queen in that design; that the envoy of Modena offered him 10,000 pounds to kill the king, and upon his refusal the envoy said, that the dutchess of Mazarine, who was as expert at poisoning as her sister, the countess of Soissons, would, with a little phial, execute that design; that upon the king's death, the army in Flanders was to come over, and massacre the protestants; that money was raised in Italy for recruits and supplies, and there should be no more parliaments; and that the duke was privy to this whole plan, and had even entered into the design of Godfrey's murder, which was executed in the manner related by France.

The popular leaders had, all along, been very desirous of having an accusation against the duke; and though Oates and Bedloe, in their first evidence, had not dared to go so far, both Dugdale and Dangerfield had afterwards been encouraged to supply so material a defect, by comprehending him in the conspiracy. The commons, therefore, finding that Fitz-harris was also willing to serve this purpose, were not ashamed to adopt his evidence, and resolved for that end to save him from the destruction with which he was at present threatened. The king had removed him from the city-prison, where he was exposed to be tampered with by

the exclusionists; had sent him to the Tower; and had ordered him to be prosecuted by an indictment at common law. In order to prevent his trial and execution, an impeachment was voted by the commons against him, and sent up to the lords. That they might show the greater contempt of the court, they ordered, by way of derision, that the impeachment should be carried up by secretary Jenkins; who was so provoked by the intended affront, that he at first refused obedience; though afterwards, being threatened with commitment, he was induced to comply. The lords voted to remit the affair to the ordinary courts of justice, before whom, as the attorney-general informed them, it was already determined to try Fitz-harris. The commons maintained, that the peers were obliged to receive every impeachment from the commons; and this indeed seems to have been the first instance of their refusal: they therefore voted, that the lords, in rejecting their impeachment, had denied justice, and had violated the constitution of parliament. They also declared, that whatever inferior court should proceed against Fitz-harris, or any one that lay under impeachment, would be guilty of a high breach of privilege. Great heats were likely to ensue; and as the king saw no appearance of any better temper in the commons, he gladly laid hold of the opportunity, afforded by a quarrel between the two houses; and he proceeded to a dissolution of the parliament. The secret was so well kept, that the commons had no intimation of it, till the black rod came to their doors, and summoned them to attend the king at the house of peers.

This vigorous measure, though it might have been foreseen, excited such astonishment in the country party, as deprived them of all spirit, and reduced them to absolute despair. They were sensible, though too late, that the king had finally taken his resolution, and was determined to endure any extremity rather than submit to those terms which they had resolved to impose upon him. They found, that he had patiently waited till affairs should come to full maturity; and having now engaged a national party on his side, had boldly set his enemies at defiance. No parliament, they knew, would be summoned for some years; and during that long interval, the court, though perhaps at the head of an inferior party, yet being possessed of all authority, would have every advantage over a body dispersed and disunited. These reflections crowded upon every one; and all the exclusionists were terrified, lest Charles should follow the blow by some action more violent, and immediately take vengeance on them for their long and obstinate opposition to his measures. The king on his part was no less apprehensive, lest despair might prompt them to have recourse to force, and make

some sudden attempt upon his person. Both parties therefore hurried from Oxford; and in an instant that city, so crowded and busy, was left in its usual emptiness and tranquillity.

VICTORY OF THE ROYALISTS.

THE court party gathered force from the person, and astonishment of their antagonists, and adhered more firmly to the king, whose resolutions, they now saw, could be entirely depended on. The violences of the exclusionists were every where exclaimed against and aggravated; and even the reality of the plot, that great engine of their authority, was openly called in question. The clergy especially were busy in this great revolution; and being moved, partly by their own fears, partly by the insinuations of the court, they presented all their antagonists as sectaries and republicans, and rejoiced in escaping those perils, which they believed to have been hanging over them. Principles the most opposite to civil liberty were every where enforced from the pulpit, and adopted in numerous addresses; where the king was flattered in his present measures, and congratulated on his escape from parliaments. Could words have been depended on, the nation appeared to be running out into voluntary servitude, and seemed even ambitious of resigning into the king's hands all the privileges transmitted to them, through so many ages, by their gallant ancestors.

But Charles had sagacity enough to distinguish between men's real internal sentiments, and the language which zeal and opposition to contrary faction may sometimes extort from them. Notwithstanding all these professions of duty and obedience, he was resolved not to trust, for a long time, the people with a new election, but to depend entirely on his own cohort for alleviating those necessities under which he laboured. Great retrenchments were made in the household: even his favourite navy was neglected: Tangiers, though it had cost great sums of money, was a few years after abandoned and demolished. The mole was entirely destroyed; and the garrison, being brought over to England, served to augment that small army, which the king relied on, as the solid basis of his authority. It had been happy for the nation, had Charles used his victory with justice and moderation equal to the prudence and dexterity with which he obtained it.

The first step, taken by the court, was the trial of Fitz-harris. Doubts were raised by the jury with regard to their power of trying him, after the concluding vote of the commons: but the judges took upon them to decide the question in the affirmative; and the jury were obliged to proceed. The writing of the libel was clearly proved upon Fitz-harris: the only

question was with regard to his intentions. He asserted, that he was a spy of the court, and had accordingly carried the libel to the dutchess of Portsmouth; and he was desirous that the jury should, in this transaction, consider him as a cheat, not as a traitor. He failed however somewhat in the proof; and was brought in guilty of treason by the jury.

Finding himself entirely in the hands of the king, he now retracted all his former impostures with regard to the popish plot, and even endeavoured to atone for them by new impostures against the country party. He affirmed, that these fictions had been extorted from him by the suggestions and artifices of Treby the recorder, and of Bethal and Cornish, the two sheriffs: this account he persisted in even at his execution; and though men knew, that nothing could be depended on, which came from one so corrupt, and so lost to all sense of honour; yet were they inclined, from his perseverance, to rely somewhat more on his veracity in these last asseverations. But it appears, that his wife had some connexions with Mrs. Wall, the favourite maid of the dutchess of Portsmouth; and Fitz-harris hoped, if he persisted in a story agreeable to the court, that some favour might, on that account, be shown to his family.

It is amusing to reflect on these several lights in which this story has been represented by the opposite factions. The country party affirmed, that Fitz-harris had been employed by the court, in order to throw the odium of the libel on the exclusionists, and thereby give rise to a protestant plot: the court party maintained, that the exclusionists had found out Fitz-harris, a spy of the ministers, and had set him upon this undertaking, from an intention of loading the court with the imputation of such a design upon the exclusionists. Rather than acquit their antagonists, both sides were willing to adopt an account the most intricate and incredible. It was a strange situation, in which the people, at this time, were placed; to be every day tortured with these perplexed stories, and inflamed with such dark suspicions against their fellow-citizens. This was no less than the fifteenth false plot, or sham-plot, as they were then called, with which the court, it was imagined, had endeavoured to load their adversaries.

The country party had intended to make use of Fitz-harris's evidence against the duke and the catholics; and his execution was therefore a great mortification to them. But the king and his ministers were resolved not to be contented with so slender an advantage. They were determined to pursue the victory, and to employ against the exclusionists those very offensive arms, however unfair, which that party had laid up in store against their antagonists. The whole gang of spies, wit-

nesses, informers, suborners, who had so long been supported and encouraged by the leading patriots, finding now that the king was entirely master, turned short upon their old patrons, and offered their service to the ministers. To the disgrace of the court and of the age, they were received with hearty welcome; and their testimony or rather perjury made use of in order to commit legal murder upon the opposite party. With an air of triumph and derision it was asked, "Are not these men good witnesses, who have established the popish plot, upon whose testimony Stafford and so many catholics have been executed, and whom you yourselves have so long celebrated as men of credit and veracity? You have admitted them into your bosom: they are best acquainted with your treasons; they are determined in another shape to serve their king and country: and you cannot complain, that the same measure which you meted to others, should now, by a righteous doom or vengeance, be measured out to you."

It is certain, that the principle of retaliation may serve in some cases as a full apology, in others as an alleviation, for a conduct which would otherwise be exposed to great blame. But these infamous arts, which poison justice in its very source, and break all the bands of human society, are so detestable and dangerous, that no pretence of retaliation can be pleaded as an apology or even an alleviation of the crime incurred by them. On the contrary, the greater indignation the king and his ministers felt, when formerly exposed to the perjuries of abandoned men, the more reluctance should they now have discovered against employing the same instruments of vengeance upon their antagonists.

The first person on whom the ministers fell, was one College, a London joiner, who had become extremely noted for his zeal against popery, and was much connected with Shaftesbury and the leaders of the country party: for as they relied much upon the populace, men of College's rank and station were useful to them. College had been in Oxford armed with sword and pistol during the sitting of the parliament; and this was made the foundation of his crime. It was pretended that a conspiracy had been entered into to seize the king's

person, and detain him in confinement, till he should make the concessions demanded of him. The sheriffs of London were in strong opposition to the court; and it was not strange, that the grand jury named by them rejected the bill against College. The prisoner was therefore sent to Oxford, where the treason was said to have been committed. Lord Norris, a courtier, was sheriff of the county; and the inhabitants were in general devoted to the court party. A jury was named, consisting entirely of royalists; and though they were men of credit and character, yet such was the factious rage which prevailed, that little justice could be expected by the prisoner. Some papers, containing hints and directions for his defence, were taken from him, as he was conducted to his trial—an iniquity, which some pretended to justify by alleging, that a like violence had been practised against a prisoner during the fury of the popish plot. Such wild notions of retaliation were at that time propagated by the court party.

The witnesses produced against College were Dugdale, Turberville, Haynes, Smith; men who had before given evidence against the catholics; and whom the jury, for that very reason, regarded as the most perjured villains. College, though beset with so many toils, and oppressed with so many iniquities, defended himself with spirit, courage, capacity, presence of mind; and he invalidated the evidence of the crown, by convincing arguments and undoubted testimony: yet did the jury, after half an hour's deliberation, bring in a verdict against him. The inhuman spectators received the verdict with a shout of applause: but the prisoner was nowise dismayed. At his execution, he maintained the same manly fortitude, and still denied the crime imputed to him. His whole conduct and demeanour prove him to have been a man led astray only by the fury of the times, and to have been governed by an honest, but indiscreet, zeal for his country and his religion.

Thus the two parties, actuated by mutual rage, but cooped up within the narrow limits of the law, levelled with poisoned daggers the most deadly blows against each other's breast, and buried in their factious divisions all regard to truth, honour, and humanity.

NOTES.

1 Temple, vol. i. p. 335.
2 Temple, vol. i. p. 449.

3 Dissertation on Parties, letter i
4 Vol. i. p. 342.

5 College's trial.

CHAPTER LXIX.

State of Affairs in Ireland.—Shaftesbury acquitted.—Argyle's Trial.—State of Affairs in Scotland.—State of the Ministry in England.—New Nomination of Sheriffs.—Quo Warrantos.—Great Power of the Crown.—A Conspiracy.—Shaftesbury retires and dies.—Rye-house Plot.—Conspiracy discovered.—Execution of the conspirators.—Trial of Lord Russel—His Execution.—Trial of Algernon Sidney—His Execution.—State of the Nation.—State of Foreign Affairs.—King's Sickness and Death—His Character.

STATE OF AFFAIRS IN IRELAND.

WHEN the Cabal entered into the mysterious alliance with France, they took care to remove the duke of Ormond from the committee of foreign affairs; and nothing tended farther to increase the national jealousy, entertained against the new measures, than to see a man of so much loyalty, as well as probity and honour, excluded from public councils. They had even so great interest with the king as to get Ormond recalled from the government of Ireland; and lord Roberts, afterwards earl of Radnor, succeeded him in that important employment. Lord Berkeley succeeded Roberts, and the earl of Essex, Berkeley. At last, in the year 1667, Charles cast his eye again upon Ormond, whom he had so long neglected; and sent him over lieutenant to Ireland. "I have done every thing," said the king, "to disoblige that man; but it is not in my power to make him my enemy." Ormond, during his disgrace, had never joined the malcontents, nor encouraged those clamours, which, with too much reason, but often for bad purposes, were raised against the king's measures. He even thought it his duty, regularly, though with dignity, to pay his court at Whitehall; and to prove that his attachments were founded on gratitude, inclination and principle, not on any temporary advantages. All the expressions, which dropped from him, while neglected by the court, showed more of good humour, than any prevalence of spleen and indignation. "I can do you no service," said he to his friends, "I have only the power left by my applications to do you some hurt." When colonel Cary Dillon solicited him to second his pretensions for an office, and urged that he had no friends but God and his grace: "Alas! poor Cary," replied the duke, "I pity thee: thou couldst not have two friends that possess less interest at court." "I am thrown by," said he, on another occasion, "like an old rusty clock; yet even that neglected machine, twice in twenty-four hours, points right."

On such occasions, when Ormond, from decency, paid his attendance at court, the king, equally ashamed to show him civility and to neglect him, was abashed and confounded.

"Sir," said the profligate Buckingham, "I wish to know whether it be the duke of Ormond that is out of favour with your majesty, or your majesty with the duke of Ormond; for, of the two, you seem the most out of countenance."

When Charles found it his interest to show favour to the old royalists, and to the church of England, Ormond, who was much revered by that whole party, could not fail of recovering, together with the government of Ireland, his former credit and authority. His administration, when lord lieutenant, corresponded to the general tenor of his life; and tended equally to promote the interests of prince and people, of protestant and catholic. Ever firmly attached to the established religion, he was able even during those jealous times, to escape suspicion, though he gratified not vulgar prejudices by any persecution of the popish party. He increased the revenue of Ireland to three hundred thousand pounds a-year: he maintained a regular army of ten thousand men: he supported a well-disciplined militia of twenty thousand; and though the act of settlement had so far been infringed, that catholics were permitted to live in corporate towns, they were guarded with so careful an eye, that the most timorous protestant never apprehended any danger from them.

The chief object of Essex's ambition was to return to the station of lord lieutenant, where he had behaved with honour and integrity: Shaftesbury and Buckingham bore an extreme hatred to Ormond, both from personal and party considerations: the great aim of the anti-courtiers was to throw reflections on every part of the king's government. It could be no surprise, therefore, to the lord lieutenant to learn, that his administration was attacked in parliament, particularly by Shaftesbury; but he had the satisfaction, at the same time, to hear of the keen, though polite defence, made by his son, the generous Ossory. After justifying several particulars of Ormond's administration against that intriguing patriot, Ossory proceeded in the following words: "Having spoken of what the lord lieutenant has done, I presume with the same truth to tell your lordships what he has not done. He never advised the breaking of the triple league;

he never advised the shutting up of the exchequer; he never advised the declaration for a toleration; he never advised the falling out with the Dutch and the joining with France: he was not the author of that most excellent position *Delenda est Carthago*, that Holland, a protestant country, should, contrary to the true interests of England, be totally destroyed. I beg that your lordships will be so just as to judge of my father and all men, according to their actions and their counsels." These few sentences, pronounced by a plain gallant soldier noted for probity, had a surprising effect upon the audience, and confounded all the rhetoric of his eloquent and factious adversary. The prince of Orange, who esteemed the former character as much as he despised the latter, could not forbear congratulating by letter the earl of Ossory on this new species of victory which he had obtained.

Ossory, though he ever kept at a distance from faction, was the most popular man in the kingdom; though he never made any compliance with the corrupt views of the court, was beloved and respected by the king. An universal grief appeared on his death, which happened about this time, and which the populace, as is usual wherever they are much affected, foolishly ascribed to poison. Ormond bore the loss with patience and dignity; though he ever retained a pleasing, however melancholy, sense of the personal merit of Ossory. "I would not exchange my dead son," said he, "for any living son in Christendom."

These particularities may appear a digression; but it is with pleasure I own, that I relax myself for a moment in the contemplation of these humane and virtuous characters, amidst that scene of fury and faction, fraud and violence, in which at present our narration has unfortunately engaged us.

Besides the general interest of the country party to censure the conduct of all the king's ministers, the prudent and peaceable administration of Ormond was in a particular manner displeasing to them. In England, where the catholics were scarcely one to a hundred, means had been found to excite an universal panic on account of insurrections, and even massacres, projected by that sect; and it could not but seem strange that in Ireland, where they exceeded the protestants six to one, there should no symptoms appear of any combination or conspiracy. Such an incident, when duly considered, might even in England shake the credit of the plot, and diminish the authority of those leaders, who had so long, with such industry, inculcated the belief of it on the nation. Rewards, therefore, were published in Ireland to any that would bring intelligence or become witnesses; and some profligates were sent over to that kingdom, with a com-

mission to seek out evidence against the catholics. Under pretence of searching for arms or papers, they broke into houses, and plundered them: they threw innocent men into prison, and took bribes for their release; and after all their diligence, it was with difficulty that that country, commonly fertile enough in witnesses, could furnish them with any fit for their purpose.

At last, one Fitzgerald appeared, followed by Key, Sanson, Dennis, Bourke, two Macnamaras, and some others. These men were immediately sent over to England; and though they possessed neither character sufficient to gain belief even for truth, nor sense to invent a credible falsehood, they were caressed, rewarded, supported, and recommended by the earl of Shaftesbury. Oliver Plunket, the titular primate of Ireland, a man of peaceable dispositions, was condemned and executed upon such testimony. And the Oxford parliament entered so far into the matter as to vote, that they were entirely satisfied in the reality of the horrid and damnable Irish plot. But such decisions, though at first regarded as infallible, had now lost much of their authority; and the public still remained somewhat indifferent and incredulous.

After the dissolution of the parliament, and the subsequent victory of the royalists, Shaftesbury's evidences, with Turberville, Smith, and others, addressed themselves to the ministers, and gave information of high treason against their former patron. It is sufficiently scandalous, that intelligence, conveyed by such men,

Shaftebury was committed to prison, and his indictment was presented to the grand jury. The new sheriffs of London, Shute and Pilkington, were engaged as deeply as their predecessors in the country party; and they took care to name a jury devoted to the same cause: a precaution quite necessary, when it was scarcely possible to find men indifferent or attached to neither party. As far as swearing could go, the treason was clearly proved against Shaftesbury; or rather so clearly as to merit no kind of credit or attention. That veteran leader of a party, inured from his early youth to faction and intrigue, to cabals and conspiracies, was represented as opening without reserve his treasonable intentions to these obscure banditti, and throwing out such violent and outrageous reproaches upon the king, as none but men of low education, like themselves, could be supposed to employ. The draught of an association, it is true, against popery and the duke, was found in Shaftesbury's cabinet; and

dangerous inferences might be drawn from many clauses of that paper. But it did not appear, that it had been framed by Shaftesbury, or so much as approved by him. And as projects of an association had been proposed in parliament, it was very natural for this nobleman, or his correspondents, to be thinking of some plan, which it might be proper to lay before that assembly. The grand jury, therefore, after weighing all these circumstances, rejected the indictment; and the people who attended the hall, testified their joy by the loudest acclamations, which were echoed throughout the whole city.

About this time a scheme of oppression was laid in Scotland, after a manner still more flagrant against a nobleman much less obnoxious than Shaftesbury; and as that country was reduced to a state of almost total subjection, the project had the good fortune to succeed.

ARGYLE'S TRIAL.

THE earl of Argyle, from his youth, had distinguished himself by his loyalty, and his attachment to the royal family. Though his father was head of the covenanters, he himself refused to concur in any of their measures; and when a commission of colonel was given him by the convention of states, he forbore to act upon it, till it should be ratified by the king. By his respectful behaviour, as well as by his services, he made himself acceptable to Charles, when that prince was in Scotland: and even after the battle of Worcester, all the misfortunes, which attended the royal cause, could not engage him to desert it. Under Middleton he obstinately persevered to harass and infest the victorious English; and it was not till he received orders from that general, that he would submit to accept of a capitulation. Such jealousy of his loyal attachments was entertained by the commonwealth and protector, that a pretence was soon after fallen upon to commit him to prison; and his confinement was rigorously continued till the restoration. The king, sensible of his services, had remitted to him his father's forfeiture, and created him earl of Argyle; and when a most unjust sentence was passed upon him by the Scottish parliament, Charles had anew remitted it. In the subsequent part of this reign, Argyle behaved himself dutifully; and though he seemed not disposed to go all lengths with the court, he always appeared, even in his opposition, to be a man of mild dispositions and peaceable deportment.

A parliament was summoned at Edinburgh this summer, and the duke was appointed commissioner. Besides granting money to the king, and voting the indefeasible right of succession, this parliament enacted a test, which all persons, possessed of offices, civil, military,

or ecclesiastical, were bound to take. In this test, the king's supremacy was asserted, the covenant renounced, passive obedience assented to, and all obligations disclaimed of endeavouring any alteration in civil or ecclesiastical establishments. This was the state of the test, as proposed by the courtiers; but the country party proposed also to insert a clause, which could not with decency be refused, expressing the person's adherence to the protestant religion. The whole was of an enormous length, considered as an oath; and what was worse, a confession of faith was there ratified, which had been imposed a little after the reformation, and which contained many articles altogether forgotten by the parliament and nation. Among others, the doctrine of resistance was inculcated; so that the test, being voted in a hurry, was found on examination to be a medley of contradiction and absurdity. Several persons, the most attached to the crown, scrupled to take it: the bishops and many of the clergy remonstrated: the earl of Queensbury refused to swear, except he might be allowed to add an explanation: and even the privy council thought it necessary to publish for general satisfaction a solution of some difficulties attending the test.

Though the courtiers could not reject the clause of adhering to the protestant religion, they proposed, as a necessary mark of respect, that all princes of the blood should be exempted from taking the oath. This exception was zealously opposed by Argyle; who observed, that the sole danger to be dreaded for the protestant religion must proceed from the perversion of the royal family. By insisting on such topics, he drew on himself the secret indignation of the duke, of which he soon felt the fatal consequences.

When Argyle took the test as a privy councillor, he subjoined, in the duke's presence, an explanation, which he had beforehand communicated to that prince, and which he believed to have been approved by him. It was in these words: "I have considered the test, and am very desirous of giving obedience as far as I can. I am confident that the parliament never intended to impose contradictory oaths: therefore I think no man can explain it but for himself. Accordingly, I take it as far as it is consistent with itself, and the protestant religion. And I do declare, that I mean not to bind myself, in my station, and in a lawful way, from wishing, and endeavouring any alteration, which I think to the advantage of church or state, and not repugnant to the protestant religion and my loyalty: and this I understand as a part of my oath." The duke, as was natural, heard these words with great tranquillity; no one took the least offence: Argyle was admitted to sit that day in council; and it was impossible to imagine that a capital

offence had been committed, where occasion seemed not to have been given, so much as for a frown or reprimand.

Argyle was much surprised, a few days after, to find that a warrant was issued for committing him to prison; that he was indicted for high-treason, leasing-making and perjury; and that from these innocent words an accusation was extracted, by which he was to forfeit honours, life, and fortune. It is needless to enter into particulars, where the iniquity of the whole is so apparent. Though the sword of justice was displayed, even her semblance was not put on; and the forms alone of law were preserved, in order to sanctify, or rather aggravate, the oppression. Of five judges, three did not scruple to find the guilt of treason and leasing-making to be incurred by the prisoner: a jury of fifteen noblemen gave verdict against him: and the king, being consulted, ordered the sentence to be pronounced; but the execution of it to be suspended till farther orders.

It was pretended by the duke and his creatures, that Argyle's life and fortune were not in any danger, and that the sole reason for pushing the trial to such extremities against him was in order to make him renounce some hereditary jurisdictions, which gave his family a dangerous authority in the highlands, and obstructed the course of public justice. But allowing the end to be justifiable, the means were infamous; and such as were incompatible, not only with a free, but a civilized government. Argyle had therefore no reason to trust any longer to the justice or mercy of such enemies: he made his escape from prison; and till he should find a ship for Holland, he concealed himself during some time in London. The king heard of his lurking place, but would not allow him to be arrested.² All the parts, however, of his sentence, as far as the government in Scotland had power, were rigorously executed; his estate confiscated, his arms reversed and torn.

STATE OF AFFAIRS IN SCOTLAND.

It would seem that the genuine passion for liberty was at this time totally extinguished in Scotland: there was only preserved a spirit of mutiny and sedition, encouraged by a mistaken zeal for religion. Cameron and Cargil, two furious preachers, went a step beyond all their brethren: they publicly excommunicated the king for his tyranny and his breach of the covenant; and they renounced all allegiance to him. Cameron was killed by the troops in an action at Aird-Moss; Cargil was taken and hanged. Many of their followers were tried and convicted. Their lives were offered them if they would say, *God save the king*: but they would only agree to pray for his repentance. This obstinacy was much insisted on as an apology for the rigours of the administration:

but if duly considered, it will rather afford reason for a contrary inference. Such unhappy delusion is an object rather of commiseration than of anger: and it is almost impossible that men could have been carried to such a degree of frenzy, unless provoked by a long train of violence and oppression.

1682. As the king was master in England, and no longer dreaded the clamours of the country party, he permitted the duke to pay him a visit; and was soon after prevailed on to allow of his return to England, and of his bearing a part in the administration. The duke went to Scotland, in order to bring up his family, and settle the government of that country; and he chose to take his passage by sea. The ship struck on a sand-bank, and was lost. the duke escaped in the barge; and it is pretended that, while many persons of rank and quality were drowned, and among the rest Hyde, his brother-in-law, he was careful to save several of his dogs and priests: for these two species of favourites are coupled together by some writers. It has likewise been asserted, that the barge might safely have held more persons, and that some who swam to it were thrust off, and even their hands cut, in order to disengage them. But every action of every eminent person, during this period, is so liable to be misinterpreted and misrepresented by faction, that we ought to be very cautious in passing judgment on too slight evidence. It is remarkable, that the sailors on board the ship, though they felt themselves sinking, and saw inevitable death before their eyes, yet, as soon as they observed the duke to be in safety, gave a loud shout, in testimony of their joy and satisfaction.

The duke during his abode in Scotland, had behaved with great civility towards the gentry and nobility; and by his courtly demeanor had much won upon their affections: but his treatment of the enthusiasts was still somewhat rigorous; and in many instances he appeared to be a man of a severe, if not an unrelenting temper. It is even asserted, that he sometimes assisted at the torture of criminals, and looked on with tranquillity, as if he were considering some curious experiment.³ He left the authority in the hands of the earl of Aberdeen, chancellor, and the earl of Queensberry, treasurer. A very arbitrary spirit appeared in their administration: a gentleman of the name of Weir was tried, because he had kept company with one who had been in rebellion; though that person had never been marked out by process or proclamation. The inferences upon which Weir was condemned (for a prosecution by the government and a condemnation were in Scotland the same thing) hung upon each other after the following manner: No man, it was supposed, could have been in a rebellion without being exposed to suspicion in the

neighbourhood: if the neighbourhood had suspected him, it was to be presumed that each individual had likewise heard of the grounds of suspicion: every man was bound to declare to the government his suspicion against every man, and to avoid the company of traitors: to fail in this duty was to participate in the treason: the conclusion on the whole was, You have conversed with a rebel; therefore you are yourself a rebel. A reprieve was, with some difficulty, procured for Weir; but it was seriously determined to make use of the precedent. Courts of judicature were erected in the southern and western counties, and a strict inquisition carried on against this new species of crime. The term of three years was appointed for the continuance of these courts; after which an indemnity was promised. Whoever would take the test, was instantly entitled to the benefit of this indemnity. The presbyterians, alarmed with such tyranny, from which no man could deem himself safe, began to think of leaving the country; and some of their agents were sent to England, in order to treat with the proprietors of Carolina for a settlement in that colony. Any condition seemed preferable to their living in their native country, which, by the prevalence of persecution and violence, was become as insecure to them as a den of robbers.

Above two thousand persons were outlawed on pretence of their conversing or having intercourse with rebels,⁴ and they were continually hunted in their retreat by soldiers, spies, informers, and oppressive magistrates. It was usual to put ensnaring questions to people living peaceably in their own houses; such as, "Will you renounce the covenant? Do you esteem the rising at Bothwell to be rebellion? Was the killing of the archbishop of St. Andrews murder?" And when the poor deluded creatures refused to answer, capital punishments were inflicted on them.⁵ Even women were brought to the gibbet for this pretended crime. A number of fugitives, rendered frantic by oppression, had published a seditious declaration; renouncing allegiance to Charles Stuart, whom they called, as they, for their parts, had indeed some reason to esteem him, a tyrant. This incident afforded the privy-council a pretence for an unusual kind of oppression. Soldiers were dispersed over the country, and power was given to all commission-officers, even the lowest, to oblige every one they met with to abjure the declaration; and, upon refusal, instantly, without farther questions, to shoot the delinquent.⁶ It were endless, as well as shocking, to enumerate all the instances of persecution, or, in other words, of absurd tyranny, which at that time prevailed in Scotland. One of them, however, is so singular, that I cannot forbear relating it.

Three women were seized;⁷ and the custo-

mary oath was tendered to them, by which they were to abjure the seditious declaration above-mentioned. They all refused, and were condemned to a capital punishment by drowning. One of them was an elderly woman: the other two were young; one eighteen years of age, the other only thirteen. Even these violent persecutors were ashamed to put the youngest to death: but the other two were conducted to the place of execution, and were tied to stakes within the sea-mark at low water: a contrivance which rendered their death lingering and dreadful. The elderly woman was placed farthest in, and by the rising of the waters was first suffocated. The younger, partly terrified with the view of her companion's death, partly subdued by the entreaty of her friends, was prevailed with to say, *God save the king*. Immediately the spectators called out that she had submitted; and she was loosened from the stake. Major Winram, the officer who guarded the execution, again required her to sign the abjuration; and upon her refusal, he ordered her instantly to be plunged in the water, where she was suffocated.

The severity of the administration in Scotland is in part to be ascribed to the duke's temper, to whom the king had consigned over the government of that country, and who gave such attention to affairs as to allow nothing of moment to escape him. Even the government of England, from the same cause, began to be somewhat infected with the same severity. The duke's credit was great at court. Though neither so much beloved nor esteemed as the king, he was more dreaded; and thence an attendance more exact, as well as a submission more obsequious, was paid to him. The saying of Waller was remarked, that Charles, in spite to the parliament, who had determined that the duke should not succeed him, was resolved that he should reign even in his lifetime.

STATE OF THE MINISTRY IN ENGLAND.

THE king, however, who loved to maintain a balance in his councils, still supported Halifax, whom he created a marquis, and made privy seal, though ever in opposition to the duke. This man, who possessed the finest genius and most extensive capacity of all employed in public affairs during the present reign, affected a species of neutrality between the parties, and was esteemed the head of that small body known by the denomination of *Trimmers*. This conduct, which is more natural to men of integrity than of ambition, could not, however, procure him the former character; and he was always, with reason, regarded as an intriguer rather than a patriot. Sunderland, who had promoted the exclusion-bill, and who had been displaced on that account, was again, with the

duke's consent, brought into the administration. The extreme duplicity, at least variableness, of this man's conduct, through the whole course of his life, made it be suspected that it was by the king's direction he had mixed with the country party. Hyde, created earl of Rochester, was first commissioner of the treasury, and was entirely in the duke's interests.

The king himself was obliged to act as the head of a party; a disagreeable situation for a prince, and always the source of much injustice and oppression. He knew how obnoxious the dissenters were to the church; and he resolved, contrary to the maxims of toleration which he had hitherto supported in England, to gratify his friends by the persecution of his enemies. The laws against conventicles were now rigorously executed; an expedient which, the king knew, would diminish neither the numbers nor influence of the non-conformists; and which is therefore to be deemed more the result of passion than of policy. Scarcely any persecution serves the intended purpose but such as amounts to a total extermination.

NEW NOMINATION OF SHERIFFS.

THOUGH the king's authority made every day great advances, it still met with considerable obstacles, chiefly from the city, which was entirely in the hands of the malcontents. The juries, in particular, named by the sheriffs, were not likely to be impartial judges between the crown and the people; and, after the experiments already made in the case of Shaftesbury and that of College, treason, it was apprehended, might there be committed with impunity. There could not therefore be a more important service to the court than to put affairs upon a different footing. Sir John Moore, the mayor, was gained by secretary Jenkins, and encouraged to insist upon the customary privilege of his office, of naming one of the sheriffs. Accordingly, when the time of election came, he drank to North, a Levant merchant, who accepted of that expensive office. The country party said, that being lately returned from Turkey, he was, on account of his recent experience, better qualified to serve the purposes of the court. A poll was opened for the election of another sheriff; and here began the contest. The majority of the common-hall, headed by the two sheriffs of the former year, refused to acknowledge the mayor's right of appointing one sheriff, but insisted that both must be elected by the livery. Papillon and Dubois were the persons whom the country-party agreed to elect (24th June): Box was pointed out by the courtiers. The poll was opened; but as the mayor would not allow the election to proceed for two vacancies, the sheriffs and he separated, and each carried on the poll apart. The country party, who

voted with the sheriffs for Papillon and Dubois, were much more numerous than those who voted with the mayor for Box; but as the mayor insisted, that his poll was the only legal one, he declared Box to be duly elected. All difficulties, however, were not surmounted. Box, apprehensive of the consequences which might attend so dubious an election, fined off; and the mayor found it necessary to proceed to a new choice. When the matter was proposed to the common-hall, a loud cry was raised, No election! No election! The two sheriffs already elected, Papillon and Dubois, were insisted on as the only legal magistrates. But as the mayor still maintained, that Box alone had been legally chosen, and that it was now requisite to supply his place, he opened books anew; and during the tumult and confusion of the citizens, a few of the mayor's partisans elected Rich, unknown to and unheeded by the rest of the livery. North and Rich were accordingly sworn in sheriffs for the ensuing year; but it was necessary to send a guard of the train-bands to protect them in entering upon their office. A new mayor of the court party was soon after chosen (25th Oct.), by means, as is pretended, still more violent and irregular.

Thus the country party were dislodged from their strong hold in the city; where, ever since the commencement of factions in the English government, they had, without interruption, almost without molestation, maintained a superiority. It had been happy, had the partialities, hitherto objected to juries, been corrected, without giving place to partialities of an opposite kind: but in the present distracted state of the nation, an equitable neutrality was almost impossible to be attained. The court and church party, who were now named on juries, made justice subservient to their factious views; and the king had a prospect of obtaining full revenge on his enemies. It was not long before the effects of these alterations were seen. When it was first reported, that the duke intended to leave Scotland, Pilkington, at that time sheriff, a very violent man, had broken out in these terms, "He has already burned the city; and he is now coming to cut all our throats!" For these scandalous expressions, the duke sued Pilkington; and enormous damages, to the amount of 100,000 pounds, were decreed him. By the law of England, ratified in the great charter, no fines or damages ought to extend to the total ruin of a criminal. Sir Patience Ward, formerly mayor who gave evidence for Pilkington, was sued for perjury, and condemned to the pillory: a severe sentence, and sufficient to deter all witnesses from appearing in favour of those who were prosecuted by the court.

But though the crown had obtained so great a victory in the city, it was not quite decisive, and the contest might be renewed every year

at the election of magistrates. An important project, therefore, was formed, not only to make the king master of the city, but by that precedent to gain him uncontrolled influence in all the corporations of England, and thereby give the greatest wound to the legal constitution, which the most powerful and most arbitrary monarchs had ever yet been able to inflict. A writ of *quo warranto* was issued against the city; that is, an enquiry into the validity of its charter. It was pretended, that the city had forfeited all its privileges, and ought to be declared no longer a corporation, on account of two offences which the court of aldermen and common council had committed. After the great fire in 1666, all the markets had been rebuilt, and had been fitted up with many conveniences; and, in order to defray the expence, the magistrates had imposed a small toll on goods brought to market: in the year 1679, they had addressed the king against the prorogation of parliament, and had employed the following terms. "Your petitioners are greatly surprised at the late prorogation, whereby the prosecution of the public justice of the kingdom, and the making of necessary provisions for the preservation of your majesty and your protestant subjects, have received interruption." These words were pretended to contain a scandalous reflection on the king and his measures. The cause of the city was defended against the attorney and solicitor generals by Treby and Pollexten.

These last pleaded that, since the foundation of the monarchy, no corporation had ever yet been exposed to forfeiture, and the thing itself implied an absurdity: that a corporation, capable of all crime or offence, and none were answerable for any iniquity but the persons themselves who committed it: that the members in choosing magistrates, had intrusted them with legal powers only; and where the magistrates exceeded these powers, their acts were void, but could never involve the body itself in any criminal imputation: that such had ever been the practice of England, except at the reformation, when the monasteries were abolished; but this was an extraordinary case; and it was even thought necessary to ratify afterwards the whole transaction by act of parliament: that corporate bodies, framed for public good, and calculated for perpetual duration, ought not to be annihilated for the temporary faults of their members, who might themselves, without hurting the community, be questioned for their offences: that even a private estate, if entailed, could not be forfeited to the crown, on account of treason committed by the tenant for life; but upon his demise went to the next in remainder: that the offences, objected to the city, far from deserving so severe a punishment, were not even worthy of the smallest repre-

hension: that all corporations were invested with the power of making bye-laws; and the smallest borough in England had ever been allowed to carry the exercise of this power farther than London had done in the instance complained of: that the city, having, at its own expence, repaired the markets, which were built too on its own estate, might as lawfully claim a small recompence from such as brought commodities thither, as a man might require rent for a house of which he was possessed: that those who disliked the condition might abstain from the market; and whoever paid had done it voluntarily: that it was an avowed right of the subjects to petition; nor had the city in their address abused this privilege: that the king himself had often declared, the parliament often voted, the nation to be in danger from the popish plot; which, it is evident, could not be fully prosecuted but in a parliamentary manner: that the impeachment of the popish lords was certainly obstructed by the frequent prorogations; as was also the enacting of necessary laws, and providing for the defence of the nation: that the loyalty of the city, no less than their regard to self-preservation, might prompt them to frame the petition; since it was acknowledged, that the king's life was every moment exposed to the most imminent danger from the popish conspiracy: that the city had not accused the king of obstructing justice, much less of having any such intention; since it was allowed, that evil counsellors were alone answerable for all the pernicious consequences of any measure: and that it was unaccountable, that two public deeds which had not, during so long a time, subjected to any, even the smallest penalty, the persons guilty of them, should now be punished so severely upon the corporation, which always was, and always must be, innocent.

It is evident, that those who would apologise for the measures of the court, must, in this case, found their arguments, not on law, but reasons of state. The judges, therefore, who condemned the city, are inexcusable; since the sole object of their determinations must ever be the pure principles of justice and equity. But the office of judge was at that time held during pleasure; and it was impossible that any cause, where the court bent its force, could ever be carried against it. After sentence was pronounced, the city applied in a humble manner to the king (12th June): and he agreed to restore their charter, but in return they were obliged to submit to the following regulations: that no mayor, sheriff, recorder, common serjeant, town clerk, or coroner, should be admitted to the exercise of his office without his majesty's approbation: that if the king disapprove twice of the mayor or sheriffs elected, he may by commission appoint these magistrates: that the mayor and court of

aldermen may, with his majesty's leave, displace any magistrate: and that no alderman, in case of a vacancy, shall be elected without consent of the court of aldermen, who, if they disapprove twice of the choice, may fill the vacancy.

GREAT POWER OF THE CROWN.

ALL the corporations in England, having the example of London before their eyes, saw how vain it would prove to contend with the court, and were, most of them, successively induced to surrender their charters into the king's hands. Considerable sums were exacted for restoring the charters; and all offices of power and profit were left at the disposal of the crown. It seems strange, that the independent royalists, who never meant, to make the crown absolute, should yet be so elated with the victory obtained over their adversary, as to approve of a precedent, which left no national privileges in security, but enabled the king, under like pretences, and by means of like instruments, to recall anew all those charters, which at present he was pleased to grant. And every friend to liberty must allow, that the nation, whose constitution was thus broken in the shock of faction, had a right, by every prudent expedient, to recover that security of which it was so unhappily bereaved.

A CONSPIRACY.

WHILE so great a faction adhered to the crown, it is apparent, that resistance, however justifiable, could never be prudent; and all wise men saw no expedient, but peaceably to submit to the present grievances. There was, however, a party of malcontents, so turbulent in their disposition, that, even before this last iniquity, which laid the whole constitution at the mercy of the king, they had meditated plans of resistance; at a time when it could be as little justifiable as prudent. 'In the spring 1681,' a little before the Oxford parliament, the king was seized with a fit of sickness at Windsor, which gave great alarm to the public. The duke of Monmouth, lord Russel, lord Gray, instigated by the restless Shaftesbury, had agreed, in case the king's sickness should prove mortal, to rise in arms, and to oppose the succession of the duke. Charles recovered; but these dangerous projects were not laid aside. The same conspirators, together with Essex and Salisbury, were determined to continue the Oxford parliament, after the king, as was daily expected, should dissolve it; and they engaged some leaders among the commons in the same desperate measure. They went so far as to detain several lords in the house, under pretence of signing a protest against rejecting Fitzharris's

impeachment: but hearing that the commons had broken up in great consternation, they were likewise obliged at last to separate. Shaftesbury's imprisonment and trial put an end for some time to these machinations; and it was not till the new sheriffs were imposed on the city that they were revived. The leaders of the country party began then to apprehend themselves in imminent danger; and they were well pleased to find that the citizens were struck with the same terror, and were thence inclined to undertake the most perilous enterprises. Besides the city, the gentry and nobility in several counties of England were solicited to rise in arms. Monmouth engaged the earl of Macclesfield, lord Brandon, sir Gilbert Gerard, and other gentlemen in Cheshire; lord Russel fixed a correspondence with sir William Courtney, sir Francis Rowes, sir Francis Drake, who promised to raise the west; and Trenchard in particular, who had interest in the disaffected town of Taunton, assured him of considerable assistance from that neighbourhood. Shaftesbury, and his emissary Ferguson, an independent clergyman, and a restless plotter, managed the correspondence in the city, upon which the confederates chiefly relied. The whole train was ready to take fire; but was prevented by the caution of lord Russel, who induced Monmouth to delay the enterprise. Shaftesbury, in the mean time, was so much affected with the sense of his danger, that he had left his house, and secretly lurked in the city; meditating all those desperate schemes, which disappointed revenge and ambition could inspire. He exclaimed loudly against delay, and represented to his confederates, that having gone so far, and intrusted the secret into so many hands, there was no safety for them but in a bold and desperate prosecution of their purpose. The projects were therefore renewed: meetings of the conspirators were appointed in different houses, particularly in Shepherd's, an eminent wine merchant in the city: the plan of an insurrection was laid in London, Cheshire, Devonshire, and Bristol: the several places of rendezvous were concerted; and all the operations fixed: the state of the guards was even viewed by Monmouth and Armstrong, and an attack on them pronounced practicable: a declaration to justify the enterprise to the public was read and agreed to: and every circumstance seemed now to render an insurrection unavoidable; when a new delay was procured by Trenchard, who declared, that the rising in the west could not for some weeks be in sufficient forwardness.

SHAFTESBURY RETIRES AND DIES.

SHAFTESBURY was enraged at these perpetual cautions and delays in an enterprise which, he

thought, nothing but courage and celerity could render effectual: he threatened to commence the insurrection with his friends in the city alone; and he boasted, that he had ten thousand *brisk boys*, as he called them, who, on a motion of his finger, were ready to fly to arms. Monmouth, Russel, and the other conspirators, were, during some time, in apprehensions lest despair should push him into some dangerous measure; when they heard that, after a long combat between fear and rage, he had at last abandoned all hopes of success, and had retired into Holland. He lived in a private manner at Amsterdam; and for greater security desired to be admitted into a magistracy of that city: but his former violent counsels against the Dutch commonwealth were remembered; and all applications from him were rejected. He died soon after; and his end gave neither sorrow to his friends, nor joy to his enemies. His furious temper, notwithstanding his capacity, had done great injury to the cause in which he was engaged. The violence and iniquities which he suggested and encouraged, were greater than even faction itself could endure; and men could not forbear sometimes recollecting, that the same person, who had become so zealous a patriot, was once a most prostitute courtier. It is remarkable, that this man, whose principles and conduct were, in all other respects, so exceptionable, proved an excellent chancellor; and that all his decrees, while he possessed that high office, were equally remarkable for justice and for integrity. So difficult is it to find in history a character either wholly bad or perfectly good; though the prejudices of party make writers run easily into the extremes both of panegyric and of satire.

After Shadtesbury's departure, the conspirators found some difficulty in renewing the correspondence with the city malcontents, who had been accustomed to depend solely on that nobleman. Their common hopes, however, as well as common fears, made them at last have recourse to each other; and a regular project of an insurrection was again formed. A council of six was erected, consisting of Monmouth, Russel, Essex, Howard, Algernon Sidney, and John Hambden, grandson of the great parliamentary leader. These men entered into an agreement with Argyle and the Scottish malcontents; who engaged, that, upon the payment of 10,000 pounds for the purchase of arms in Holland, they would bring the covenanters into the field. Insurrections, likewise, were anew projected in Cheshire, and the west, as well as in the city; and some meetings of the leaders were held, in order to reduce these projects into form. The conspirators differed extremely in their views. Sidney was passionate for a commonwealth. Essex had embraced the same project. But Monmouth had enter-

tained hopes of acquiring the crown for himself. Russel, as well as Hambden, was much attached to the ancient constitution, and intended only the exclusion of the duke, and the redress of grievances. Lord Howard was a man of no principle, and was ready to embrace any party which his immediate interest should recommend to him. But notwithstanding this difference of characters and of views, their common hatred of the duke and the present administration united them in one party; and the dangerous experiment of an insurrection was fully resolved on.

RYE-HOUSE PLOT.

WHILE these schemes were concerting among the leaders, there was an inferior order of conspirators, who held frequent meetings; and, together with the insurrection, carried on projects quite unknown to Monmouth and the cabal of six. Among these men were colonel Rumsey, an old republican officer, who had distinguished himself in Portugal, and had been recommended to the king by marshal Schomberg: lieutenant-colonel Walcot, likewise a republican officer; Goodenough, under-sheriff of London, a zealous and noted party-man; West, Tyler, Norton, Ayloff, lawyers; Ferguson, Rouse, Hone, Keiling, Holloway, Bourne, Lee, Rumbald. Most of these last were merchants or tradesmen; and the only persons of this confederacy, who had access to the leaders of the party, were Rumsey and Ferguson. When these men met together, they indulged themselves in the most desperate and most criminal discourse: they frequently mentioned the assassination of the king and the duke, to which they had given the familiar appellation of *lopping*: they even went so far as to have thought of a scheme for that purpose. Rumbald, who was a malster, possessed a farm called the Rye-house, which lay on the road to Newmarket, whither the king commonly went once a-year, for the diversion of the races. A plan of this farm had been laid before some of the conspirators by Rumbald, who showed them how easy it would be, by overturning a cart, to stop at that place the king's coach; while they might fire upon him from the hedges, and be enabled afterwards, through by-lanes, and cross the fields to make their escape. But though the plausibility of this scheme gave great pleasure to the conspirators, no concerted design was as yet laid, nor any men, horses, or arms, provided: the whole was little more than loose discourse, the overflowings of their zeal and rancour. The house, in which the king lived at Newmarket, took fire accidentally; and he was obliged to leave that place eight days sooner than he intended. To this circumstance his safety was afterwards ascribed, when the conspiracy was detected; and the court party could

not sufficiently admire the wise dispensations of Providence. It is indeed certain, that as the king had thus unexpectedly left Newmarket, he was worse attended than usual; and Rumbald informed his confederates with regret, what a fine opportunity was thus unfortunately lost.

CONSPIRACY DISCOVERED. *June 12.*

AMONG the conspirators I have mentioned Keiling, a salter in London. This man had been engaged in a bold measure, of arresting the mayor of London, at the suit of Papillon and Dubois, the outed sheriffs; and being liable to prosecution for that action, he thought it safest to purchase a pardon, by revealing the conspiracy, in which he was deeply concerned. He brought to secretary Jenkins intelligence of the assassination plot; but as he was a single evidence, the secretary, whom many false plots had probably rendered incredulous, scrupled to issue warrants for the commitment of so great a number of persons. Keiling, therefore, in order to fortify his testimony, engaged his brother in reasonable discourse with Good-enough, one of the conspirators; and Jenkins began now to give more attention to the intelligence. The conspirators had got some hint of the danger in which they were involved, and all of them concealed themselves. One person alone, of the name of Barber, an instrument-maker, was seized; and as his confession concurred in many particulars with Keiling's information, the affair seemed to be put out of all question; and a more diligent search was every where made after the conspirators.

West, the lawyer, and colonel Rumsey, finding the perils to which they were exposed in endeavouring to escape, resolved to save their own lives at the expence of their companions; and they surrendered themselves with an intention of becoming evidence. West could do little more than confirm the testimony of Keiling, with regard to the assassination plot; but Rumsey, besides giving additional confirmation of the same design, was at last, though with much difficulty, led to reveal the meetings at Shephard's. Shephard was immediately apprehended; and had not courage to maintain fidelity to his confederates. Upon his information, orders were issued for arresting the great men engaged in the conspiracy. Monmouth absconded: Russel was sent to the Tower: Gray was arrested, but escaped from the messenger: Howard was taken, while he concealed himself in a chimney; and being a man of profligate morals, as well as indigent circumstances, he scrupled not, in hopes of a pardon and a reward, to reveal the whole conspiracy. Essex, Sidney, and Hamblen, were immediately apprehended upon his evidence. Every day some of the conspirators were detected in their lurking-places, and thrown into prison.

EXECUTION OF THE CONSPIRATORS.

LIEUT.-COLONEL Walcot was first brought to his trial. This man, who was once noted for bravery, had been so far overcome by the love of life, that he had written to secretary Jenkins, and had offered, upon promise of pardon, to turn evidence: but no sooner had he taken this mean step than he felt more generous sentiments arise in him; and he endeavoured, though in vain, to conceal himself. The witnesses against him were Rumsey, West, Shephard, together with Bourne, a brewer. His own letter to the secretary was produced, and rendered the testimony of the witnesses unquestionable. Hone and Rouse were also condemned. These two men, as well as Walcot, acknowledged at their execution, the justness of the sentence; and from their trial and confession it is sufficiently apparent, that the plan of an insurrection had been regularly formed; and that even the assassination had been often talked of, and not without the approbation of many of the conspirators.

TRIAL OF LORD RUSSEL.

THE condemnation of these criminals was probably intended as a preparative to the trial of lord Russel, and served to impress the public with a thorough belief of the conspiracy, as well as a horror against it. The witnesses produced against the noble prisoner, were Rumsey, Shephard, and lord Howard. Rumsey swore, that he himself had been introduced at the cabal at Shephard's, where Russel was present; and had delivered them a message from Shaftesbury, urging them to hasten the intended insurrection: but had received for answer, that it was found necessary to delay the design, and that Shaftesbury must therefore, for some time, rest contented. This answer, he said, was delivered by Ferguson; but was assented to by the prisoner. He added, that some discourse had been entered into about taking a survey of the guards; and he thought that Monmouth, Gray, and Armstrong, undertook to view them. Shephard deposed, that his house had beforehand been bespoken by Ferguson for the secret meeting of the conspirators, and that he had been careful to keep all his servants from approaching them, and had served them himself. Their discourse, he said, ran chiefly upon the means of surprising the guards; and it was agreed, that Monmouth and his two friends should take a survey of them. The report, which they brought next meeting, was, that the guards were remiss, and that the design was practicable: but he did not affirm that any resolution was taken of executing it. The prisoner, he thought, was present at both these meetings; but he was sure that at least he was present at one of them. A declaration he

added, had been read by Ferguson in Russel's presence: the reasons of the intended insurrection were there set forth, and all the public grievances fully displayed.

Lord Howard had been one of the cabal of six, established after Shaftesbury's flight; and two meetings had been held by the conspirators, one at Hambden's, another at Russel's. Howard deposed, that at the first meeting it was agreed to begin the insurrection in the country before the city; the places were fixed, the proper quantity and kind of arms agreed on, and the whole plan of operations concerted: that at the second meeting, the conversation chiefly turned upon their correspondence with Argyll and the discontented Scots, and that the principal management of that affair was intrusted to Sidney, who had sent one Aaron Smith into Scotland with proper instructions. He added, that in these deliberations, no question was put, or votes collected; but there was no contradiction; and, as he took it, all of them, and the prisoner among the rest, gave their consent.

Rumsey and Shephard were very unwilling witnesses against lord Russel; and it appears from Gray's Secret History,⁹ that, if they had pleased, they could have given a more explicit testimony against him. This reluctance, together with the difficulty in recollecting circumstances of a conversation which had passed above eight months before, and which the persons had not at that time any intention to reveal, may begot some slight objection to their evidence. But on the whole, it was undoubtedly proved, that the insurrection had been deliberated on by the prisoner, and fully resolved; the surprisal of the guards deliberated on, but not fully resolved; and that an assassination had never once been mentioned nor imagined by him. So far the matter of fact seems certain: but still, with regard to law, there remained a difficulty, and that of an important nature.

The English laws of treason, both in the manner of defining that crime, and in the proof required, are the mildest and most indulgent, and consequently the most equitable, that are any where to be found. The two chief species of treason, contained in the statute of Edward III are the compassing and intending of the king's death, and the actual levying of war against him; and by the law of Mary, the crime must be proved by the concurring testimony of two witnesses, to some overt act, tending to these purposes. But the lawyers, partly desirous of paying court to the sovereign, partly convinced of ill consequences which might attend such narrow limitations, had introduced a greater latitude, both in the proof and definition of the crime. It was not required that the two witnesses should testify the same precise overt act: it was sufficient,

but they both testified some overt act of the same treason; and though this evasion may seem a subtilty, it had long prevailed in the courts of judicature, and had at last been solemnly fixed by parliament at the trial of lord Stafford. The lawyers had used the same freedom with the law of Edward III. They had observed, that, by that statute, if a man should enter into a conspiracy for a rebellion, should even fix a correspondence with foreign powers for that purpose, should provide arms and money, yet, if he were detected, and no rebellion ensued, he could not be tried for reason. To prevent this inconvenience, which it had been better to remedy by a new law, they had commonly left their indictment for intending the death of the king, and had produced the intention of rebellion as a proof of that other intention. But though this form of indictment and trial was very frequent, and many criminals had received sentence upon it, it was still considered as somewhat irregular, and was plainly confounding, by a sophism, two species of treason, which the statute had accurately distinguished. What made this refinement still more exceptionable was, that a law had passed soon after the restoration; in which the consulting of the intending of a rebellion was, during Charles's lifetime, declared treason; and it was required, that the prosecution should be commenced within six months after the crime was committed. But notwithstanding this statute the lawyers had persevered, as they still do persevere, in the old form of indictment; and both sir Harry Vane, and Oliver Plunket, titular primate of Ireland, had been tried by it. Such was the general horror entertained against the old republicans and the popish conspirators, that no one had murmured against this interpretation of the statute; and the lawyers thought that they might follow the precedent, even in the case of the popular and beloved lord Russel. Russel's crime fell plainly within the statute of Charles II.; but the facts sworn to by Rumsey and Shephard were beyond the six months required by law, and to the other facts Howard was a single witness. To make the indictment, therefore, more extensive, the intention of murdering the king was comprehended in it: and for proof of this intention the conspiracy for raising a rebellion was assigned; and what seemed to bring the matter still nearer, the design of attacking the king's guards.

Russel perceived this irregularity, and desired to have the point argued by counsel: the chief justice told him, that this favour could not be granted unless he previously confessed the facts charged upon him. The artificial confounding of the two species of treason, though a practice supported by many precedents, is the chief, but not the only hardship, of which Russel had reason to complain on

his trial. His defence was feeble; and he contented himself with protesting, that he never had entertained any design against the life of the king: his veracity would not allow him to deny the conspiracy for an insurrection. The jury were men of fair and reputable characters, but zealous royalists: after a short deliberation, they brought in the prisoner guilty.

Applications were made to the king for a pardon: even money, to the amount of a hundred thousand pounds, was offered to the dutchess of Portsmouth by the old earl of Bedford, father to Russel. The king was inexorable. He had been extremely harassed with the violence of the country party; and he had observed, that the prisoner, besides his secret designs, had always been carried to the highest extremity of opposition in parliament. Russel had even adopted a sentiment, similar to what we meet with in a letter of the younger Brutus. Had his father, he said, advised the king to reject the exclusion-bill, he would be the first to move for a parliamentary impeachment against him. When such determined resolution was observed, his popularity, his humanity, his justice, his very virtues, became so many crimes, and were used as arguments against sparing him. Charles therefore would go no farther than remitting the more ignominious part of the sentence, which the law requires to be pronounced against traitors. "Lord Russel," said he, "shall find, that I am possessed of that prerogative, which, in the case of Lord Stafford, he thought proper to deny me." As the fury of the country party had rendered it impossible for the king, without the imminent danger of his crown, to pardon so many catholics, whom he firmly believed innocent, and even affectionate and loyal to him; he probably thought, that, since the edge of the law was now ready to fall upon that party themselves, they could not reasonably expect that he would interpose to save them.

Russel's consort, a woman of virtue, daughter and heir of the good earl of Southampton, threw herself at the king's feet, and pleaded with many tears the merits and loyalty of her father, as an atonement for those errors, into which his honest, however mistaken, principles had seduced her husband. These supplications were the last instance of female weakness (if they deserve the name) which she betrayed. Finding all applications vain, she collected courage, and not only fortified herself against the fatal blow, but endeavoured by her example to strengthen the resolution of her unfortunate lord. With a tender and decent composure they took leave of each other on the day of his execution. "The bitterness of death is now past," said he, when he turned from her. Lord Cavendish had lived in the closest intimacy with Russel, and

deserted not his friend in the present calamity. He offered to manage his escape by changing clothes with him, and remaining at all hazards in his place. Russel refused to save his own life, by an expedient which might expose his friend to so many hardships. When the duke of Monmouth by message offered to surrender himself, if Russel thought that this measure would anywise contribute to his safety; "It will be no advantage to me," he said, "to have my friends die with me." Some of his expressions discover, not only composure, but good humour in this melancholy extremity. The day before his execution he was seized with a bleeding at the nose. "I shall not now let blood to divert this distemper," said he to doctor Burnet who attended him; "that will be done to-morrow." A little before the sheriffs conducted him to the scaffold, he wound up his watch, "Now I have done," said he, "with time, and henceforth must think solely of eternity."

LORD RUSSEL'S EXECUTION. July 21.

THE scaffold was erected in Lincoln's-Inn Fields, a place distant from the Tower; and it was probably intended, by conducting Russel through so many streets, to show the mutinous city their beloved leader, once the object of all their confidence, now exposed to the utmost rigours of the law. As he was the most popular among his own party; so was he ever the least obnoxious to the opposite faction: and his melancholy fate united every heart, sensible of humanity, in a tender compassion for him. Without the least change of countenance, he laid his head on the block; and at two strokes, it was severed from his body.

In the speech, which he delivered to the sheriffs, he was very anxious to clear his memory from any imputation of ever intending the king's death, or any alteration in the government: he could not explicitly confess the projected insurrection without hurting his friends, who might still be called in question for it: but he did not purge himself of that design, which in the present condition of the nation, he regarded as no crime. By many passages in his speech he seems to the last to have lain under the influence of party zeal; a passion which, being nourished by a social temper, and clothing itself under the appearance of principle, it is almost impossible for a virtuous man, who has acted in public life, ever thoroughly to eradicate. He professed his entire belief in the popish plot: and he said, that, though he had often heard the seizure of the guards mentioned, he had ever disapproved of that attempt. To which he added, that the massacring of so many innocent men in cool blood was so like a popish practice, that he could not but abhor it. Upon

the whole, the integrity and virtuous intentions, rather than the capacity, of this unfortunate nobleman, seem to have been the shining parts of his character.

TRIAL AND EXECUTION OF ALGERNON SIDNEY.

ALGERNON SIDNEY was next brought to his trial. This gallant person, son of the earl of Leicester, had entered deeply into the war against the late king; and though nowise tainted with enthusiasm, he had so far shared in all the counsels of the independent republican party, as to have been named on the high court of justice, which tried and condemned that monarch. He thought not proper, however, to take his seat among the judges. He ever opposed Cromwell's usurpation with zeal and courage; and after making all efforts against the restoration, he resolved to take no benefit of the general indemnity, but chose voluntary banishment, rather than submit to a government and family which he abhorred. As long as the republican party had steered the scheme, however unpromising, which tended to promote their cause: but at length in 1677, finding it necessary for his private affairs to return to England, he had applied for the king's pardon, and had obtained it. When the factions, arising from the popish plot, began to run high, Sidney, full of those ideas of liberty, which he had imbibed from the great examples of antiquity, joined the popular party; and was even willing to seek a second time, through all the horrors of civil war, for his adored republic.

From this imperfect sketch of the character and conduct of this singular personage, it may easily be conceived how obnoxious he was become to the court and ministry: what alone renders them blameable was the illegal method which they took for effecting their purpose against him. On Sidney's trial they produced a great number of witnesses, who proved the reality of a plot in general; and when the prisoner exclaimed, that all these evidences said nothing of him, he was answered, that this method of proceeding, however irregular, had been practised in the prosecutions of the popish conspirators; a topic more fit to condemn one party than to justify the other. The only witness who deposed against Sidney, was lord Howard; but as the law required two witnesses, a strange expedient was fallen on to supply this deficiency. In ransacking the prisoner's closets, some discourses on government were found; in which he had maintained principles, favourable indeed to liberty, but such as the best and most dutiful subjects in all ages have been known to embrace; the original contract, the source of power from a consent of

the people, the lawfulness of resisting tyrants, the preference of liberty to the government of a single person. These papers were asserted to be equivalent to a second witness, and even to many witnesses. The prisoner replied, that there was no other reason for ascribing these papers to him as the author, besides a similitude of hand; a proof which was never admitted in criminal prosecutions: that allowing him to be the author, he had composed them solely for his private amusement, and had never published them to the world, or even communicated them to any single person: that, when examined, they appeared, by the colour of the ink, to have been written many years before, and were in vain produced as evidence of a present conspiracy against the government: and that where the law positively requires two witnesses, one witness, attended with the most convincing circumstances, could never suffice; much less, when supported by a circumstance so weak and precarious. All these arguments, though urged by the prisoner with great courage and pregnancy of reason, had no influence. The violent and inhuman Jefferies was now chief justice; and by his direction a partial jury was easily prevailed on to give verdict against Sidney. His execution followed a few days after (17th Dec.): he complained, and with reason, of the iniquity of the sentence; but he had too much greatness of mind to deny those conspiracies, with Monmouth and Russel, in which he had been engaged. He rather gloated, that he now suffered for that good old cause, in which, from his earliest youth, he said, he had enlisted himself.

The execution of Sidney is regarded as one of the greatest blemishes of the present reign. The evidence against him, it must be confessed, was not legal; and the jury, who condemned him, were for that reason, very blameable. But that after sentence passed by a court of judicature, the king should interpose and pardon a man, who, though otherwise possessed of merit, was undoubtedly guilty, who had ever been a most inflexible and most inveterate enemy to the royal family, and who lately had even abused the king's clemency, might be an act of heroic generosity, but can never be regarded as a necessary and indispensable duty.

Howard was also the sole evidence against Hambden; and his testimony was not supported by any material circumstance. The crown-lawyers therefore found it in vain to try the prisoner for treason: they laid the indictment only for a misdemeanour, and obtained sentence against him. The fine imposed was exorbitant; no less than forty thousand pounds.

Holloway, a merchant of Bristol, one of the conspirators, had fled to the West-Indies, and was now brought over. He had been outlawed; but the year allowed him for surren-

dering himself was not expired. A trial was therefore offered him: but as he had at first confessed his being engaged in a conspiracy for an insurrection, and even allowed that he had heard some discourse of an assassination, though he had not approved of it, he thought it more expedient to throw himself on the king's mercy. He was executed, persisting in the same confession.

Sir Thomas Armstrong, who had been seized in Holland, and sent over by Chidley, the king's minister, was precisely in the same situation with Holloway: but the same favour, or rather justice, was refused him. The lawyers pretended, that, unless he had voluntarily surrendered himself before the expiration of the time assigned, he could not claim the privilege of a trial; not considering that the seizure of his person ought in equity to be supposed the accident which prevented him. The king bore a great enmity against this gentleman, by whom he believed the duke of Monmouth to have been seduced from his duty: he also asserted, that Armstrong had once promised Cromwel to assassinate him; though it must be confessed, that the prisoner justified himself from this imputation by very strong arguments. These were the reasons of that injustice which was now done him. It was apprehended that sufficient evidence of his guilt could not be produced; and that even the partial juries, which were now refused, and which allowed themselves to be entirely directed by Jefferies, and other violent judges, would not give sentence against him.

On the day that Russel was tried, Essex, a man eminent both for virtues and abilities, was found in the Tower with his throat cut. The coroner's inquest brought in their verdict, *self-murder*: yet because two children ten years old (one of whom too departed from his evidence) had affirmed that they heard a great noise from his window, and that they saw a hand throw out a bloody razor; these circumstances were laid hold of, and the murder was ascribed to the king and the duke, who happened that morning to pay a visit to the Tower. Essex was subject to fits of deep melancholy, and had been seized with one immediately upon his commitment: he was accustomed to maintain the lawfulness of suicide: and his countess, upon a strict enquiry, which was committed to the care of Dr. Burnet, found no reason to confirm the suspicion: yet could not all these circumstances, joined to many others, entirely remove the imputation. It is no wonder, that faction is so productive of vices of all kinds: for, besides that it inflames all the passions, it tends much to remove those great restraints, honour and shame; when men find, that no iniquity can lose them the applause of their

own party, and no innocence secure them against the calumnies of the opposite.

But though there is no reason to think that Essex had been murdered by any orders from court, it must be acknowledged that an unjustifiable use in Russel's trial was made of that incident. The king's counsel mentioned it in their pleadings as a strong proof of the conspiracy; and it is said to have had great weight with the jury. It was insisted on in Sidney's trial for the same purpose.

STATE OF THE NATION.

SOME memorable causes, tried about this time, though they have no relation to the Rye-house conspiracy, show the temper of the bench and of the juries. Oates was convicted of having called the duke a popish traitor; was condemned in damages to the amount of one hundred thousand pounds; and was adjudged to remain in prison till he should make payment. A like sentence was passed upon Dutton-Colt for a like offence. Sir Samuel Barnardiston was fined ten thousand pounds; because in some private letters which had been intercepted, he had reflected on the government. This gentleman was obnoxious, because he had been foreman of that jury which rejected the bill against Shaftesbury. A pretence was therefore fallen upon for punishing him; though such a precedent may justly be deemed a very unusual act of severity, and sufficient to destroy all confidence in private friendship and correspondence.

There is another remarkable trial, which shows the disposition of the courts of judicature, and which, though it passed in the ensuing year, it may not be improper to relate in this place. One Rosewel, a presbyterian preacher, was accused by three women of having spoken treasonable words in a sermon. They swore to two or three periods, and agreed so exactly together, that there was not the smallest variation in their depositions. Rosewel on the other hand made a very good defence. He proved, that the witnesses were lewd and infamous persons. He proved, that even during Cromwel's usurpations, he had always been a royalist, that he prayed constantly for the king in his family; and that in his sermons he often inculcated the obligations of loyalty. And as to the sermon of which he was accused, several witnesses, who heard it, and some who wrote it in short-hand, deposed, that he had used no such expressions as those which were imputed to him. He offered his own notes as a farther proof. The women could not show, by any circumstance or witness, that they were at his meeting. And the expressions, to which they deposed, were so gross, that no man in his senses could be supposed to employ them before a mixt audience. It was also urged,

that it appeared next to impossible for three women to remember so long a period upon one single hearing, and to remember it so exactly, as to agree to a tittle in their depositions with regard to it. The prisoner offered to put the whole upon this issue: he would pronounce, with his usual tone of voice, a period as long as that to which they had sworn; and then let them try to repeat it, if they could. What was more unaccountable, they had forgotten even the text of his sermon; nor did they remember any single passage, but the words to which they gave evidence. After so strong a defence, the solicitor-general thought not proper to make any reply: even Jeffries went no farther than some general declamations against conventicles and presbyterians; yet so violent were party prejudices, that the jury gave a verdict against the prisoner; which however appeared so palpably unjust, that it was not carried into execution.

The duke of Monmouth had absconded on the first discovery of the conspiracy; and the court could get no intelligence of him. At length, Halifax, who began to apprehend the too great prevalence of the royal party, and who thought that Monmouth's interest would prove the best counterpoise to the duke's, discovered his retreat, and prevailed on him to write two letters to the king, full of the tenderest and most submissive expressions. The king's fondness was revived; and he permitted Monmouth to come to court. He even endeavoured to mediate a reconciliation between his son and his brother; and having promised Monmouth, that his testimony should never be employed against any of his friends, he engaged him to give a full account of the plot. But, in order to put the country party to silence, he called next day an extraordinary council, and informed them, that Monmouth had showed great penitence for the share which he had had in the late conspiracy, and had expressed his resolutions never more to engage in such criminal enterprises. He went so far as to give orders, that a paragraph to the like purpose should be inserted in the Gazette. Monmouth kept silence till he had obtained his pardon in form: but finding that, by taking this step, he was entirely disgraced with his party, and that even, though he should not be produced in court as an evidence, his testimony, being so publicly known, might have weight with juries on any future trial, he resolved at all hazards to retrieve his honour. His emissaries, therefore, received orders to deny that he had ever made any such confession as that which was imputed to him; and the party exclaimed, that the whole was an imposture of the court. The king, provoked at this conduct, banished Monmouth his presence, and afterwards ordered him to depart the kingdom.

The court was aware, that the malcontents

in England had held a correspondence with those of Scotland; and that Baillie of Jerviswood, a man of merit and learning, with two gentlemen of the name of Campbel, had come to London under pretence of negotiating the settlement of the Scottish presbyterians in Carolina, but really with a view of concerting measures with the English conspirators. Baillie was sent prisoner to Edinburgh; but as no evidence appeared against him, the council required him to swear that he would answer all questions which should be propounded to him. He refused to submit to so iniquitous a condition; and a fine of six thousand pounds was imposed upon him. At length, two persons, Spence and Carstares, being put to the torture, gave evidence which involved the earl of Tarras and some others, who, in order to save themselves, were reduced to accuse Baillie. He was brought to trial, and being in so languishing a condition from the treatment which he had met with in prison, that it was feared he would not survive that night, he was ordered to be executed the very afternoon on which he received sentence.

The severities exercised during this part of the present reign, were much contrary to the usual tenor of the king's conduct; and though those who studied his character more narrowly, have pronounced, that towards great offences he was rigid and inexorable, the nation were more inclined to ascribe every unjust or hard measure to the prevalence of the duke, into whose hands the king had, from indolence, not from any opinion of his brother's superior capacity, resigned the reins of government. The crown indeed gained great advantage from the detection of the conspiracy, and lost none by the rigorous execution of the conspirators: the horror entertained against the assassination plot, which was generally confounded with the project for an insurrection, rendered the whole party unpopular, and reconciled the nation to the measures of the court. The most loyal addresses came from all parts; and the doctrine of submission to the civil magistrate, and even of an unlimited passive obedience, became the resigning principle of the times. The university of Oxford passed a solemn decree, condemning some doctrines which they termed republican, but which indeed are most of them the only tenets on which liberty and a limited constitution can be founded. The faction of the exclusionists, lately so numerous, powerful, and zealous, were at the king's feet; and were as much fallen in their spirit as in their credit with the nation. Nothing that had the least appearance of opposition to the court, could be hearkened to by the public.¹⁰

1694. The king endeavoured to increase his present popularity by every art; and, knowing that the suspicion of popery was of all others the most dangerous, he judged it proper, to

marry his niece, the lady Anne, to prince George, brother to the king of Denmark. All the credit, however, and persuasion of Halifax, could not engage him to call a parliament, or trust the nation with the election of a new representative. Though his revenues were extremely burthened, he rather chose to struggle with the present difficulties, than try an experiment which, by raising afresh so many malignant humours, might prove dangerous to his repose. The duke likewise zealously opposed this proposal, and even engaged the king in measures which could have no tendency, but to render any accommodation with a parliament altogether impracticable. Williams, who had been speaker during the two last parliaments, was prosecuted for warrants, issued by him, in obedience to orders of the house: a breach of privilege, which it seemed not likely any future house of commons would leave unquestioned. Danby and the popish lords, who had so long been confined in the Tower, and who saw no prospect of a trial in parliament, applied by petition, and were admitted to bail; a measure just in itself, but deemed a great encroachment on the privileges of that assembly. The duke, contrary to law, was restored to the office of high-admiral, without taking the test.

STATE OF FOREIGN AFFAIRS.

HAD the least grain of jealousy or emulation been mixed in the king's character; had he been actuated by that concern for his people's or even for his own honour, which his high station demanded, he would have hazarded many domestic inconveniencies, rather than allow France to domineer in so haughty a manner as that which at present she assumed in every negotiation. The peace of Nimègue, imposed by the Dutch on their unwilling allies, had disjointed the whole confederacy; and all the powers engaged in it had disbanded their supernumerary troops, which they found it difficult to subsist. Lewis alone still maintained a powerful army, and by his preparations rendered himself every day more formidable. He now acted as if he were the sole sovereign in Europe, and as if all other princes were soon to become his vassals. Courts or chambers were erected in Metz and Brisac, for re-uniting such territories as had ever been members of any part of his new conquests. They made enquiry into titles buried in the most remote antiquity. They cited the neighbouring princes to appear before them, and issued decrees, expelling them the contested territories. The important town of Strasbourg, an ancient and a free state, was seized by Lewis: Alost was demanded of the Spaniards, on a frivolous, and even ridiculous, pretence; and upon their refusal to yield it, Luxembourg was blockaded, and soon after taken.¹¹ Genoa had been bombarded,

because the Genoese had stipulated to build some galleys for the Spaniards; and in order to avoid more severe treatment, that republic was obliged to yield to the most mortifying conditions. The empire was insulted in its head and principal members; and used no other expedient for redress, than impotent complaints and remonstrances.

Spain was so enraged at the insolent treatment which she met with, that, without considering her present weak condition, she declared war against her haughty enemy: she hoped that the other powers of Europe, sensible of the common danger, would fly to her assistance. The prince of Orange, whose ruling passions were love of war and animosity against France, seconded every where the applications of the Spaniards. In the year 1681, he made a journey to England, in order to engage the king into closer measures with the confederates. He also proposed to the States to make an augmentation of their forces; but several of the provinces, and even the town of Amsterdam, had been gained by the French, and the proposal was rejected. The prince's enemies derived the most plausible reasons of their opposition from the situation of England, and the known and avowed attachments of the English monarch.

No sooner had Charles dismissed his parliament, and embraced the resolution of governing by prerogative alone, than he dropped his new alliance with Spain, and returned to his former dangerous connexions with Lewis. This prince had even offered to make him arbiter of his differences with Spain; and the latter power, sensible of Charles's partiality, had refused to submit to such a disadvantageous proposal. Whether any money was now remitted to England, we do not certainly know, but we may fairly presume, that the king's necessities were in some degree relieved by France.¹² And though Charles had reason to apprehend the utmost danger from the great and still increasing naval power of that kingdom, joined to the weak condition of the English fleet, no consideration was able to rouse him from his present lethargy.

It is here we are to fix the point of the highest exaltation, which the power of Lewis or that of any European prince, since the age of Charlemagne, had ever attained. The monarch, most capable of opposing his progress, was entirely engaged in his interests; and the Turks, invited by the malcontents of Hungary, were preparing to invade the emperor, and to disable that prince from making head against the progress of the French power. Lewis may even be accused of oversight, in not making sufficient advantage of such favourable opportunities, which he was never afterwards able to recall. But that monarch, though more governed by motives of ambition than by those

of justice or moderation, was still more actuated by the suggestions of vanity. He contented himself with insulting and domineering over all the princes and free states of Europe; and he thereby provoked their resentment without subduing their power. While every one, who approached his person, and behaved with submission to his authority, was treated with the highest politeness; all the neighbouring potentates had successively felt the effects of his haughty imperious disposition. And by indulging his poets, orators, and courtiers, in their flatteries, and in their prognostications of universal empire, he conveyed faster, than by the prospect of his power alone, the apprehension of general conquest and subjection.

1685. The French greatness never, during his whole reign, inspired Charles with any apprehensions; and Clifford, it is said, one of his most favoured ministers, went so far as to affirm, that it were better for the king to be viceroy under a great and generous monarch, than a slave to five hundred of his own insolent subjects. The ambition, therefore, and uncontrolled power of Lewis were no diminution of Charles's happiness; and in other respects his condition seemed at present more eligible than it had ever been since his restoration. A mighty faction which had shaken his throne, and menaced his family, was totally subdued; and by their precipitate indiscretion had exposed themselves both to the rigour of the laws and to public hatred. He had recovered his former popularity in the nation; and what probably pleased him more than having a compliant parliament, he was enabled to govern altogether without one. But it is certain, that the king, amidst all these promising circumstances, was not happy or satisfied. Whether he found himself exposed to difficulties for want of money, or dreaded a recoil of the popular humour from the present arbitrary measures, is uncertain. Perhaps the violent imprudent temper of the duke, by pushing Charles upon dangerous attempts, gave him apprehension and uneasiness. He was overheard one day to say in opposing some of the duke's hasty counsels, "Brother, I am too old to go again to my travels: you may, if you choose it." Whatever was the cause of the king's dissatisfaction, it seems probable, that he was meditating some change of measures, and had formed a new plan of administration. He was determined, it is thought, to send the duke to Scotland, to recall Monmouth, to summon a parliament, to dismiss all his unpopular ministers, and to throw himself entirely on the good will and affections of his subjects.¹³

KING'S SICKNESS AND DEATH. Feb. 6.

AMIDST these truly wise and virtuous designs, he was seized with a sudden fit, which re-

sembled an apoplexy; and though he was recovered from it by bleeding, he languished only for a few days, and then expired, in the fifty-fifth year of his age, and twenty-fifth of his reign. He was so happy in a good constitution of body, and had ever been so remarkably careful of his health, that his death struck as great a surprise into his subjects, as if he had been in the flower of his youth. And their great concern for him, owing to their affection for his person, as well as their dread of his successor very naturally, when joined to the critical time of his death, begat the suspicion of poison. All circumstances however considered, this suspicion must be allowed to vanish; like many others, of which all histories are full.

During the few days of the king's illness, clergymen of the church of England attended him; but he discovered a total indifference towards their devotions and exhortations. Catholic priests were brought, and he received the sacrament from them, accompanied with the other rites of the Romish church. Two papers were found in his cabinet, written with his own hand, and containing arguments in favour of that communion. The duke had the imprudence immediately to publish these papers, and thereby both confirmed all the reproaches of those who had been the greatest enemies to his brother's measures, and afforded to the world a specimen of his own bigotry.

CHARACTER OF THE KING.

If we survey the character of Charles II. in the different lights which it will admit of, it will appear various, and give rise to different and even opposite sentiments. When considered as a companion, he appears the most amiable and engaging of men; and indeed, in this view, his deportment must be allowed altogether unexceptionable. His love of raillery was so tempered with good breeding, that it was never offensive: his propensity to satire was so checked with discretion, that his friends never dreaded their becoming the object of it: his wit, to use the expression of one who knew him well, and who was himself a good judge,¹⁴ could not be said so much to be very refined or elevated, qualities apt to beget jealousy and apprehension in company, as to be a plain, gaining, well-bred, recommending kind of wit. And though perhaps he talked more than strict rules of behaviour might permit, men were so pleased with the affable, communicative deportment of the monarch, that they always went away contented both with him and with themselves. This indeed is the most shining part of the king's character; and he seems to have been sensible of it: for he was fond of dropping the formality of state, and of relapsing every moment into the companion.

In the duties of private life, his conduct, though not free from exception, was, in the main, laudable. He was an easy, generous lover, a civil, obliging husband, a friendly brother, an indulgent father, and a good-natured master.¹⁵ The voluntary friendships, however, which this prince contracted, nay, even his sense of gratitude, were feeble; and he never attached himself to any of his ministers or courtiers with a sincere affection. He believed them to have no motive in serving him but self-interest; and he was still ready, in his turn, to sacrifice them to present ease or convenience.

With a detail of his private character we must set bounds to our panegyric on Charles. The other parts of his conduct may admit of some apology, but can deserve small applause. He was indeed so much fitted for private life, preferably to public, that he even possessed order, frugality, and economy in the former: was profuse, thoughtless, and negligent, in the latter. When we consider him as a sovereign, his character, though not altogether destitute of virtue, was in the main dangerous to his people, and dishonourable to himself. Negligent of the interests of the nation, careless of its glory, averse to its religion, jealous of its liberty, lavish of its treasure, sparing only of its blood; he exposed it by his measures, though he ever appeared but in support, to the danger of a furious civil war, and even to the ruin and ignominy of a foreign conquest. Yet may all these enormities, if fairly and candidly examined, be imputed, in a great measure, to the indolence of his temper: a fault which, however unfortunate in a monarch, it is impossible for us to regard with great severity.

It has been remarked of Charles, that he never said a foolish thing, nor ever did a wise one: a censure which, though too far carried, seems to have some foundation in his character and deportment. When the king was informed of this saying, he observed, that the matter was easily accounted for: for that his discourse was his own, his actions were the ministry's.

If we reflect on the appetite for power inherent in human nature, and add to it the king's education in foreign countries, and among the cavaliers, a party which would naturally exaggerate the late usurpations of popular assemblies upon the rights of monarchy; it is not surprising, that civil liberty should not find in him a very zealous patron. Harassed with domestic faction, weary of calumnies and complaints, oppressed with debts, straitened in his revenue, he sought, though with feeble efforts,

for a form of government, more simple in its structure and more easy in its management. But his attachment to France, after all the pains which we have taken, by inquiry and conjecture, to fathom it, contains still something, it must be confessed, mysterious and inexplicable. The hopes of rendering himself absolute by Lewis's assistance seem so chimerical, that they could scarcely be retained with such obstinacy by a prince of Charles's penetration: and as to pecuniary subsidies, he surely spent much greater sums in one season, during the second Dutch war, than were remitted him from France during the whole course of his reign. I am apt therefore to imagine, that Charles was in this particular guided chiefly by inclination, and by a prepossession in favour of the French nation. He considered that people as gay, sprightly, polite, elegant, courteous, devoted to their prince, and attached to the catholic faith; and for these reasons he cordially loved them. The opposite character of the Dutch had rendered them the objects of his aversion; and even the uncourtly humours of the English made him very indifferent towards them. Our notions of interest are much warped by our affections; and it is not altogether without example, that a man may be guided by national prejudices, who has ever been little biassed by private and personal friendship.

The character of this prince has been elaborately drawn by two great masters, perfectly well acquainted with him, the duke of Buckingham and the marquis of Halifax; not to mention several elegant strokes given by sir William Temple. Dr. Welwood likewise and bishop Burnet have employed their pencil on the same subject: but the former is somewhat partial in his favour; as the latter is by far too harsh and malignant. Instead of finding an exact parallel between Charles II. and the emperor Tiberius, as asserted by that prelate, it would be more just to remark a full contrast and opposition. The emperor seems as much to have surpassed the king in abilities, as he falls short of him in virtue. Provident, wise, active, jealous, malignant, dark, sullen, unsober, reserved, cruel, unrelenting, unforbearing; these are the lights under which the Roman tyrant has been transmitted to us. And the only circumstance in which it can justly be pretended he was similar to Charles, is his love of women, a passion which is too general to form any striking resemblance, and which that detestable and detested monster shared also with unnatural appetites.

NOTES.

- 1 See Captain Wilkinson's Narrative.
- 2 Budget, vol. i. p. 322.
- 3 Burnet, vol. i. p. 543. Wodrow, vol. ii. p. 169. This last author, who is much the better authority, mentions only one instance, that of Sprenal, which seems to have been an extraordinary one.
- 4 Wodrow, vol. ii. Appendix, 94.
- 5 Wodrow, vol. ii. passim.
- 6 Wodrow, vol. ii. p. 454.
- 7 Wodrow, vol. ii. p. 505.
- 8 Lord Gray's Secret History of the Rye-house Plot. This is the most full and authentic account of all these transactions; but is in the main confirmed by bishop Hymert, and even Burnet, as well as by the trials and dying confessions of the conspirators: so that nothing can be more unaccountable than that any one should pretend that this conspiracy was an imposture like the popish plot. Monmouth's declaration, published in the next reign, confesses a consult for extraordinary remedies.
- 9 Page 43.
- 10 In the month of November this year

died prince Rupert, in the sixty-third year of his age. He had left his own country so early, that he had become an entire Englishman, and was even suspected, in his latter days, of a bias to the country party. He was for that reason much neglected at court. The duke of Lauderdale died also this year.

- 11 It appears from sir John Dalrymple's Appendix, that the king received from France a million of livres for his convivance at the seizure of Luxembourg, besides his ordinary pension.
- 12 The following passage is an extract from M. Barillon's letters kept in the *Dépôt des Affaires étrangères* at Versailles. It was lately communicated to the author while in France. Convention verbale arrêtée le 1 Avril 1681. Charles 2 s'engage a ne rien omettre pour pouvoir faire connoître à sa majesté qu'elle avoit raison de prendre confiance en lui; a se dégager peu à peu de l'alliance avec l'Espagne, et a se mettre en état de ne point être contraint par son parlement

de faire quelque chose d'opposé aux nouveaux engagements qu'il prenoit. En consequence, le roi promet un subside de deux millions la premiere des trois années de cet engagement et 500,000 écus les deux autres, se contentant de la parole de sa majesté Britannique, d'agréer à l'exécution de sa majesté conformément aux obligations qu'il lui avoit. Le Sr. Hyde demande que le roi s'engage a ne point attaquer les pays bas et même Strasbourg, témoignant que le roi son maître ne pourroit s'empêcher de secourir les pays bas, quand même son parlement ne seroit point assemblé. M. Barillon lui répondit en termes généraux par ordre du roi que sa majesté n'avoit point intention de rompre la paix, et qu'il s'engageroit par sa majesté Britannique en choses contraires à ses véritables intérêts.

- 13 King James's Memoire confirm this rumour, as also D'Avaux's Negotiation, Dec. 14, 1684.
- 14 Marquis of Halifax.
- 15 Duke of Buckingham.

CHAPTER LXX.

J A M E S II.

King's first Transactions.—A Parliament.—Arguments for and against a Revenue for Life.—Oates convicted of Perjury.—Monmouth's Invasion,—his Defeat and Execution.—Cruelties of Kirk, and of Jefferies.—State of Affairs in Scotland.—Argyle's Invasion.—Defeat, and Execution.—A Parliament.—French Persecutions.—The Dispensing Power.—State of Ireland.—Breach betwixt the King and the Church.—Court of Ecclesiastical Commission.—Sentence against the Bishop of London.—Suspension of the Penal Laws.—State of Ireland.—Embassy to Rome.—Attempt upon Magdalen College.—Imprisonment, Trial, and Acquittal of the Bishops.—Birth of the Prince of Wales.

THE KING'S FIRST TRANSACTIONS. 1685.

THE first act of James's reign was to assemble the privy council; where, after some praises bestowed on the memory of his predecessor, he made professions of his resolution to maintain the established government, both in church and state. Though he had been reported, he said, to have imbibed arbitrary principles, he knew that the laws of England were sufficient to make him as great a monarch as he could wish; and he was determined never to depart from them. And as he had heretofore ventured his life in defence of the nation, he would still go as far as any man in maintaining all its just rites and liberties.

This discourse was received with great applause, not only by the council, but by the nation. The king universally passed for a man of great sincerity and great honour; and as the current of favour ran at that time for the court, men believed that his intentions were conformable to his expressions. "We have now," it was said, "the word of a king; and a word never yet broken." Addresses came from all quarters, full of duty, nay of the most servile adulation. Every one hastened to pay court to the new monarch; and James had reason to think, that notwithstanding the violent efforts made by so potent a party for his exclusion, no throne in Europe was better established than that of England.

The king, however, in the first exercise of his authority, showed, that either he was not sincere in his professions of attachment to the laws, or that he had entertained so lofty an idea of his own legal power, that even his utmost sincerity would tend very little to secure the liberties of the people. All the customs and the greater part of the excise had been settled by parliament on the late king during life, and consequently the grant was now expired; nor had the successor any right to levy these branches of revenue. But James issued a proclamation, ordering the customs to be

cise to be paid as before; and this exertion of power he would not deign to qualify by the least act or even appearance of condescension. It was proposed to him, that, in order to prevent the ill effects of any intermission in levying these duties, entries should be made, and bonds for the sums be taken from the merchants and brewers: but the payment be suspended till the parliament should give authority to receive it. This precaution was recommended as an expression of deference to that assembly, or rather to the laws: but for that very reason, probably, it was rejected by the king, who thought, that the commons would thence be invited to assume more authority, and would regard the whole revenue, and consequently the whole power of the crown, as dependent on their good will and pleasure.

The king likewise went openly, and with all the ensigns of his dignity, to mass, an illegal meeting: and by this imprudence he displayed at once his arbitrary disposition, and the bigotry of his principles: those two great characteristics of his reign, and bane of his administration. He even sent Caryl, as his agent, to Rome, in order to make submission to the pope, and to pave the way for a solemn re-admission of England into the bosom of the catholic church. The pope, Innocent the XIth, prudently advised the king not to be too precipitate in his measures, nor rashly attempt what repeated experience might convince him was impracticable. The Spanish ambassador, Ronquillo, deeming the tranquillity of England necessary for the support of Spain, used the freedom to make like remonstrances. He observed to the king, how busy the priests appeared at court, and advised him not to assent with too great facility to their dangerous counsels. "Is it not the custom in Spain," said James, "for the king to consult with his confessor?" "Yes," replied the ambassador, "and it is for that very reason our affairs succeed so ill."

James gave hope on his accession, that he

would hold the balance of power more steadily than his predecessor; and that France, instead of rendering England subservient to her ambitious projects, would now meet with strong opposition from that kingdom. Besides applying himself to business with industry, he seemed jealous of national honour, and expressed great care, that no more respect should be paid to the French ambassador at London than his own received at Paris. But these appearances were not sufficiently supported, and he found himself immediately under the necessity of falling into a union with that great monarch, who, by his power as well as his zeal, seemed alone able to assist him in the projects formed for promoting the catholic religion in England.

Notwithstanding the king's prejudices, all the chief offices of the crown continued still in the hands of protestants. Rochester was treasurer; his brother Clarendon chamberlain; Godolphin chamberlain to the queen; Sunderland secretary of state; Halifax president of the council. This nobleman had stood in opposition to James during the last years of his brother's reign; and when he attempted, on the accession, to make some apology for his late measures, the king told him, that he would forget every thing past, except his behaviour during the bill of exclusion. On other occasions, however, James appeared not of so forgiving a temper. When the principal exclusionists came to pay their respects to the new sovereign, they either were not admitted, or were received very coldly, sometimes even with frowns. This conduct might suit the character, which the king so much affected, of sincerity: but by showing, that a king of England could resent the quarrels of a duke of York, he gave his people no high idea either of his lenity or magnanimity.

On all occasions, the king was open in declaring that men must now look for a more active and more vigilant government, and that he would retain no ministers, who did not practise an unreserved obedience to his commands. We are not indeed to look for the springs of his administration so much in his council and chief officers of state, as in his own temper, and in the character of those persons with whom he secretly consulted. The queen had great influence over him; a woman of spirit, whose conduct had been popular till she arrived at that high dignity. She was much governed by the priests, especially the Jesuits; and as these were also the king's favourites, all public measures were taken originally from the suggestions of these men, and bore evident marks of their ignorance in government, and of the violence of their religious zeal.

The king however had another attachment, seemingly not very consistent with this devoted regard to his queen and to his priests: it was

to Mrs. Sedley, whom he soon after created countess of Dorchester, and who expected to govern him with the same authority which the dutchess of Portsmouth had possessed during the former reign. But James, who had entertained the ambition of converting his people, was told, that the regularity of his life ought to correspond to the sanctity of his intentions; and he was prevailed with to remove Mrs. Sedley from court: a resolution in which he had not the courage to persevere. Good agreement between the mistress and the confessor of princes is not commonly a difficult matter to compass: but in the present case these two potent engines of command were found very incompatible. Mrs. Sedley, who possessed all the wit and ingenuity of her father, sir Charles, made the priests and their counsels the perpetual objects of her raillees; and it is not to be doubted, but they, on their part, redoubled their exhortations with their penitent to break off so criminal an attachment.

How little inclination soever the king, as well as his queen and priests, might bear to an English parliament, it was absolutely necessary, at the beginning of the reign, to summon that assembly. The low condition, to which the whigs or country party had fallen during the last years of Charles's reign, the odium under which they laboured on account of the Rye-house conspiracy; these causes made that party meet with little success in the elections. The general resignation too of the charters had made the corporations extremely dependent; and the recommendations of the court, though little assisted, at that time, by pecuniary influence, were become very prevalent. The new house of commons, therefore, consisted almost entirely of zealous Tories and churchmen; and were of consequence strongly biased, by their affections, in favour of the measures of the crown.

The discourse which the king made to the parliament (19th May), was more fitted to work on their fears than their affections. He repeated indeed, and with great solemnity, the promise which he had made before the privy-council, of governing according to the laws, and of preserving the established religion. But at the same time he told them, that he positively expected they would settle his revenue, and during life too, as in the time of his brother. "I might use many arguments," said he, "to enforce this demand; the benefit of trade, the support of the navy, the necessities of the crown, and the well-being of the government itself; which I must not suffer to be precarious; but I am confident, that your own consideration, and your sense of what is just and reasonable, will suggest to you whatever on this occasion might be enlarged upon. There is indeed one popular argument," added he, "which may be urged against compliance with my

demand: men may think, that by feeding me from time to time with such supplies as they think convenient, they will better secure frequent meetings of parliament: but 'as this is the first time I speak to you from the throne, I must plainly tell you, that such an expedient would be very improper to employ with me, and that the best way to engage me to meet you often, is always to use me well.'

It was easy to interpret this language of the king's. He plainly intimated, that he had resources in his prerogative for supporting the government, independent of their supplies; and that so long as they complied with his demands, he would have recourse to them; but that any ill usage on their part would set him free from those measures of government, which he seemed to regard more as voluntary than as necessary. It must be confessed, that no parliament in England was ever placed in a more critical situation, nor where more forcible arguments could be urged, either for their opposition to the court, or their compliance with it.

REASONS FOR AND AGAINST A REVENUE DURING LIFE.

It was said on the one hand, that jealousy of royal power was the very basis of the English constitution, and the principle to which the nation was beholden for all that liberty which they enjoyed above the subjects of other monarchies. That this jealousy, though, at different periods, it may be more or less intense, can never safely be laid asleep, even under the best and wisest princes. That the character of the present sovereign afforded cause for the highest vigilance, by reason of the arbitrary principles which he had imbibed; and still more, by reason of his religious zeal, which it is impossible for him ever to gratify, without assuming more authority than the constitution allows him. That power is to be watched in its very first encroachments; nor is any thing ever gained by timidity and submission. That every concession adds new force to usurpation; and at the same time, by discovering the dastardly dispositions of the people, inspires it with new courage and enterprise. That as arms were intrusted altogether in the hands of the prince, no check remained upon him out the dependent condition of his revenue; a security therefore which it would be the most egregious folly to abandon. That all the other barriers, which, of late years, had been erected against arbitrary power, would be found, without this capital article, to be rather pernicious and destructive. That new limitations in the constitution stimulated the monarch's inclination to surmount the laws, and required frequent meetings of parliament, in order to repair all the breaches, which

either time or violence may have made upon that complicated fabric. That recent experience, during the reign of the late king, a prince who wanted neither prudence nor moderation, had sufficiently proved the solidity of all these maxims. That his parliament, having rashly fixed his revenue for life, and at the same time repealed the triennial bill, found that they themselves were no longer of importance, and that liberty, not protected by national assemblies, was exposed to every outrage and violation. And that the more openly the king made an unreasonable demand, the more obstinately ought it to be refused; since it is evident, that his purpose in making it cannot possibly be justifiable.

On the other hand it was urged, that the rule of watching the very first encroachments of power could only have place, where the opposition to it could be regular, peaceful, and legal. That though the refusal of the king's present demand might seem of this nature, yet in reality it involved consequences which led much farther than at first sight might be apprehended. That the king in his speech had intimated, that he had resources in his prerogative, which, in case of opposition from parliament, he thought himself fully entitled to employ. That if the parliament openly discovered an intention of reducing him to dependence, matters must presently be brought to a crisis, at a time the most favourable to his cause, which his most sanguine wishes could ever have promised him. That if we cast our eyes abroad, to the state of affairs on the continent, and to the situation of Scotland and Ireland; or, what is of more importance, if we consider the disposition of men's minds at home, every circumstance would be found adverse to the cause of liberty. That the country party, during the late reign, by their violent, and in many respects unjustifiable, measures in parliament, by their desperate attempts out of parliament, had exposed their principles to general hatred, and had excited extreme jealousy in all the royalists and zealous churchmen, who now formed the bulk of the nation. That it would not be acceptable to that party to see this king worse treated than his brother, in point of revenue, or any attempts made to keep the crown in dependence. That they thought parliaments as liable to abuse as courts, and desired not to see things in a situation, where the king could not, if he found it necessary, either prorogue or dissolve those assemblies. That if the present parliament, by making great concessions, could gain the king's confidence, and engage him to observe the promises now given them, every thing would by gentle methods succeed to their wishes. That if, on the contrary, after such instances of compliance, he formed any designs on the liberty and religion of the nation, he would, in the

eyes of all mankind, render himself altogether inexcusable, and the whole people would join in opposition to him. That resistance could scarcely be attempted twice; and there was therefore the greater necessity for waiting till time and incidents had fully prepared the nation for it. That the king's prejudices in favour of popery, though in the main pernicious, were yet so far fortunate, that they rendered the connexion inseparable between the national religion and the national liberty. And that if any illegal attempts were afterwards made, the church, which was at present the chief support of the crown, would surely catch the alarm, and would soon dispose the people to an effectual resistance.

These last reasons, enforced by the prejudices of party, prevailed in parliament; and the commons, besides giving thanks for the king's speech, voted unanimously, that they would settle on his present majesty during life, all the revenue enjoyed by the late king, at the time of his demise. That they might not detract from this generosity by any symptoms of distrust, they also voted unanimously, that the house entirely relied on his majesty's royal word and repeated declarations to support the religion of the church of England; but they added, that that religion was dearer to them than their lives. The speaker, in presenting the revenue bill, took care to inform the king of their vote with regard to religion; but could not, by so signal a proof of confidence, extort from him one word in favour of that religion on which, he told his majesty, they set so high a value. Notwithstanding the grounds of suspicion which this silence afforded, the house continued in the same liberal disposition. The king having demanded a further supply for the navy and other purposes, they revived those duties on wines and vinegar, which had once been enjoyed by the late king; and they added some impositions on tobacco and sugar. This grant amounted on the whole to about six hundred thousand pounds a year.

The house of lords were in a humour no less compliant. They even went some lengths towards breaking in pieces all the remains of the popish plot; that once formidable engine of bigotry and faction.

OATES CONVICTED OF PERJURY.

A LITTLE before the meeting of parliament, Oates had been tried for perjury on two indictments. One for deposing that he was present at a consult of Jesuits in London the twenty-fourth of April, 1679: another for deposing that father Ireland was in London between the eighth and twelfth of August, and in the beginning of September in the same year. Never criminal was convicted on fuller and more undoubted evidence. Two and

twenty persons, who had been students at Saint Omers, most of them men of credit and family, gave evidence, that Oates had entered into that seminary about Christmas in the year 1678, and had never been absent one night, till the month of July following. Forty-seven witnesses, persons also of untainted character, deposed that father Ireland, on the 3rd of August, 1679, had gone to Staffordshire, where he resided till the middle of September; and, what some years before would have been regarded as a very material circumstance, nine of these witnesses were protestants, of the church of England. Oates's sentence was, to be fined a thousand marks on each indictment, to be whipped on two different days from Aldgate to Newgate, and from Newgate to Tyburn, to be imprisoned during life, and to be pilloried five times every year. The impudence of the man supported itself under the conviction, and his courage under the punishment. He made solemn appeals to Heaven, and protestations of the veracity of his testimony: though the whipping was so cruel, that it was evidently the intention of the court to put him to death by that punishment, he was enabled, by the care of his friends, to recover: and he lived to king William's reign; when a pension of four hundred pounds a year was settled on him. A considerable number still adhered to him in his distresses, and regarded him as the martyr of the protestant cause. The populace were affected with the sight of a punishment, more severe than is commonly inflicted in England. And the sentence of perpetual imprisonment was deemed illegal.

The conviction of Oates's perjury was taken notice of by the house of peers. Besides freeing the popish lords, Powis, Arundel, Bellasis, and Tyrone, together with Danby, from the former impeachment by the commons, they went so far as to vote a reversal of Stafford's attainder, on account of the falsehood of that evidence on which he had been condemned. This bill fixed so deep a reproach on the former proceedings of the exclusionists, that it met with great opposition among the lords; and it was at last, after one reading, dropped by the commons. Though the reparation of injustice be the second honour which a nation can attain; the present emergence seemed very improper for granting so full a justification to the catholics, and throwing so foul a stain on the protestants.

MONMOUTH'S INVASION.

THE course of parliamentary proceedings was interrupted by the news of Monmouth's arrival in the west with three ships from Holland. No sooner was this intelligence conveyed to the parliament, than they voted that they would adhere to his majesty with their lives

and fortunes. They passed a bill of attainder against Monmouth; and they granted a supply of four hundred thousand pounds for suppressing his rebellion. Having thus strengthened the hands of the king, they adjourned themselves.

Monmouth, when ordered to depart the kingdom, during the late reign, had retired to Holland; and as it was well known that he still enjoyed the favour of his indulgent father, all marks of honour and distinction were bestowed upon him by the prince of Orange. After the accession of James, the prince thought it necessary to dismiss Monmouth and all his followers; and that industrious fugitive retired to Brussels. Finding himself still pursued by the king's severity, he was pushed, contrary to his judgment as well as inclination, to make a rash and premature attempt upon England. He saw that James had lately mounted the throne, not only without opposition, but seemingly with the good will and affections of his subjects. A parliament was sitting, which discovered the greatest disposition to comply with the king, and whose adherence, he knew, would give a sanction and authority to all public measures. The grievances of this reign were hitherto of small importance; and the people were not as yet in a disposition to remark them with great severity. All these considerations occurred to Monmouth; but such was the impatience of his followers, and such the precipitate behaviour of Argyle, who set out for Scotland a little before him, that no reasons could be attended to; and this unhappy man was driven upon his fate.

The imprudence, however, of this enterprise did not at first appear. Though on his landing at Lyme in Dorsetshire (11th June), he had scarcely a hundred followers; so popular was his name, that in four days he had assembled above two thousand horse and foot. They were, indeed, almost all of them the lowest of the people; and the declaration which he published, was chiefly calculated to suit the prejudices of the vulgar, or the most bigoted of the whig party. He called the king duke of York; and denominated him a traitor, a tyrant, an assassin, and a popish usurper. He imputed to him the fire of London, the murder of Godfrey and of Essex, nay the poisoning of the late king. And he invited all the people to join in opposition to his tyranny.

The duke of Albemarle, son to him who had restored the royal family, assembled the militia of Devonshire to the number of 4000 men, and took post at Axminster, in order to oppose the rebels; but observing that his troops bore a great affection to Monmouth, he thought proper to retire. Monmouth, though he had formerly given many proofs of personal courage, had not the vigour of mind

requisite for an undertaking of this nature. From an ill-grounded diffidence of his men, he neglected to attack Albemarle; an easy enterprise, by which he might both have acquired credit, and have supplied himself with arms. Lord Gray, who commanded his horse, discovered himself to be a notorious coward; yet such was the softness of Monmouth's nature, that Gray was still continued in his command. Fletcher of Salton, a Scotchman, a man of signal probity and fine genius, had been engaged by his republican principles in this enterprise, and commanded the cavalry together with Gray: but being insulted by one who had newly joined the army, and whose horse he had in a hurry made use of, he was prompted by passion, to which he was much subject, to discharge a pistol at the man; and he killed him on the spot. This incident obliged him immediately to leave the camp; and the loss of so gallant an officer was a great prejudice to Monmouth's enterprise.

The next station of the rebels was Taunton, a disaffected town, which gladly and even fondly received them, and reinforced them with considerable numbers. Twenty young maids of some rank presented Monmouth with a pair of colours of their handiwork, together with a copy of the bible. Monmouth was here persuaded to take upon him the title of king, and assert the legitimacy of his birth; a claim which he advanced in his first declaration, but whose discussion he was determined, he then said, during some time to postpone. His numbers had now increased to six thousand; and he was obliged every day for want of arms, to dismiss a great many who crowded to his standard. He entered Bridgewater, Wells, Frome; and was proclaimed in all these places: but forgetting that such desperate enterprises can only be rendered successful by the most adventurous courage, he allowed the expectations of the people to languish, without attempting any considerable undertaking.

While Monmouth, by his imprudent and misplaced caution, was thus wasting time in the west, the king employed himself in making preparations to oppose him. Six regiments of British troops were called over from Holland: the army was considerably augmented: and regular forces, to the number of 3000 men, were dispatched under the command of Feverham and Churchill, in order to check the progress of the rebels.

MONMOUTH DEFEATED. July 5.

MONMOUTH, observing that no considerable men joined him, finding that an insurrection, which was projected in the city, had not taken place, and hearing that Argyle, his confederate, was already defeated and taken; sunk into

such despondency, that he had once resolved to withdraw himself, and leave his unhappy followers to their fate. His followers expressed more courage than their leader, and seemed determined to adhere to him in every fortune. The negligent disposition, made by Feversham, invited Monmouth to attack the king's army at Sedgemoor near Bridgewater; and his men in this action showed what a native courage and a principle of duty, even when unassisted by discipline, is able to perform. They threw the veteran forces into disorder; drove them from their ground; continued the fight till their ammunition failed them; and would at last have obtained a victory, had not the misconduct of Monmouth and the cowardice of Gray prevented it. After a combat of three hours the rebels gave way; and were followed with great slaughter. About 1500 fell in the battle and pursuit. And thus was concluded in a few weeks this enterprise, rashly undertaken, and feebly conducted.

EXECUTION OF MONMOUTH. *July 15.*

MONMOUTH fled from the field of battle above twenty miles till his horse sunk under him. He then changed clothes with a peasant in order to conceal himself. The peasant was discovered by the pursuers, who now redoubled the diligence of their search. At last, the unhappy Monmouth was found lying in the bottom of a ditch, and covered with fern: his body depressed with fatigue and hunger; his mind by the memory of past misfortunes, by the prospect of future disasters. Human nature is unequal to such calamitous situations; much more, the temper of a man, softened by early prosperity, and accustomed to value himself solely on military bravery. He burst into tears when seized by his enemies; and he seemed still to indulge the fond hope and desire of life. Though he might have known, from the greatness of his own offences, and the severity of James's temper, that no mercy could be expected, he wrote him the most submissive letters, and conjured him to spare the issue of a brother, who had ever been so strongly attached to his interest. James, finding such symptoms of depression and despondency in the unhappy prisoner, admitted him to his presence, in hopes of extorting a discovery of his accomplices: but Monmouth would not purchase life, however loved, at the price of so much infamy. Finding all efforts vain, he assumed courage from despair, and prepared himself for death, with a spirit better suited to his rank and character. This favourite of the people was attended to the scaffold with a plentiful effusion of tears. He warned the executioner not to fall into the error which he had committed in beheading Russel, where it had been necessary to repeat the blow.

This precaution served only to dismay the executioner. He struck a feeble blow on Monmouth, who raised his head from the block, and looked him in the face, as if reproaching him for his failure. He gently laid down his head a second time; and the executioner struck him again and again to no purpose. He then threw aside the axe, and cried out that he was incapable of finishing the bloody office. The sheriff obliged him to renew the attempt; and at two blows more the head was severed from the body.

Thus perished, in the thirty-sixth year of his age, a nobleman, who in less turbulent times, was well qualified to be an ornament of the court, even to be serviceable to his country. The favour of his prince, the caresses of faction, and the allurements of popularity, seduced him into enterprises which exceeded his capacity. The good will of the people still followed him in every fortune. Even after his execution, their fond credulity flattered them with hopes of seeing him once more at their head. They believed that the person executed was not Monmouth, but one who, having the fortune to resemble him nearly, was willing to give this proof of his extreme attachment, and to suffer death in his stead.

This victory, obtained by the king in the commencement of his reign, would naturally, had it been managed with prudence, have tended much to increase his power and authority. But by reason of the cruelty, by which it was prosecuted, and of the temerity with which it afterwards inspired him, it was a principal cause of his sudden ruin and downfall.

Such arbitrary principles had the court instilled into all its servants, that Feversham, immediately after the victory, hanged above twenty prisoners; and was proceeding in his executions, when the bishop of Bath and Wells warned him that these unhappy men were now by law entitled to a trial, and that their execution would be deemed a real murder. This remonstrance, however, did not stop the savage nature of colonel Kirke, a soldier of fortune, who had long served at Tangiers, and had contracted, from his intercourse with the Moors, an inhumanity less known in European and in free countries. At his first entry into Bridgewater, he hanged nineteen prisoners, without the least enquiry into the merits of their cause. As if to make sport with death, he ordered a certain number to be executed, while he and his company should drink the king's health, or the queen's, or that of chief-justice Jefferies. Observing their feet to quiver in the agonies of death, he cried that he would give them music to their dancing, and he immediately commanded the drums to beat and the trumpets to sound. By way of experiment, he ordered one man to be hung up three times, questioning him at each interval, whether he repented of

his crime: but the man obstinately asserting, that notwithstanding the past, he still would willingly engage in the same cause, Kirke ordered him to be hung in chains. One story, commonly told of him, is memorable for the treachery, as well as barbarity, which attended it.

A young maid pleaded for the life of her brother, and flung herself at Kirke's feet, armed with all the charms which beauty and innocence, bathed in tears, could bestow upon her. The tyrant was inflamed with desire, not softened into love or clemency. He promised to grant her request, provided that she, in her turn, would be equally compliant to him. The maid yielded to the conditions: but, after she had passed the night with him, the wanton savage, next morning, showed her from the window, her brother, the Carling object for whom she had sacrificed her virtue, hanging on a gibbet, which he had secretly ordered to be there erected for the execution. Rage and despair and indignation took possession of her mind, and deprived her for ever of her senses.

All the inhabitants of that country, innocent as well as guilty, were exposed to the ravages of this barbarian. The soldiery were let loose to live at free quarters; and his own regiment, instructed by his example, and encouraged by his exhortations, distinguished themselves in a particular manner by their outrages. By way of pleasantry he used to call them *his friends*, an appellation which was long remembered with horror in the west of England.

The violent Jefferies succeeded after some interval; and showed the people, that the rigours of law might equal, if not exceed, the ravages of military tyranny. This man, who wanted in cruelty, had already given a specimen of his character in many trials, where he presided: and he now set out with a savage joy, as to a full harvest of death and destruction. He began at Dorchester; and thirty rebels being arraigned, he exhorted them, but in vain, to save him, by their free confession, the trouble of trying them: and when twenty-nine were found guilty, he ordered them, as an additional punishment of their disobedience, to be led to immediate execution. Most of the other prisoners, terrified with this example, pleaded guilty; and no less than two hundred and ninety-two received sentence at Dorchester. Of these eighty were executed. Exeter was the next stage of his cruelty: two hundred and forty-three were there tried, of whom a great number were condemned and executed. He also opened his commission at Taunton and Wells; and every where carried consternation along with him. The juries were so struck with his menaces, that they gave their verdict with precipitation; and many innocent persons, it is said, were involved with the guilty.

And on the whole, besides those who were butchered by the military commanders, two hundred and fifty-one are computed to have fallen by the hand of justice. The whole country was strowed with the heads and limbs of traitors. Every village almost beheld the dead carcase of a wretched inhabitant. And all the rigours of justice, unabated by any appearance of clemency, were fully displayed to the people by the inhuman Jefferies.

Of all the executions, during this dismal period, the most remarkable were those of Mrs. Gaunt and lady Lisle, who had been accused of harbouring traitors. Mrs. Gaunt was an anabaptist, noted for her beneficence, which she extended to persons of all professions and persuasions. One of the rebels, knowing her humane disposition, had recourse to her in his distress, and was concealed by her. Hearing of the proclamation, which offered an indemnity and rewards to such as discovered criminals, he betrayed his benefactress, and bore evidence against her. He received a pardon as a recompence for his treachery; she was burned alive for her charity.

Lady Lisle was widow of one of the regicides who had enjoyed great favour and authority under Cromwel, and who having fled, after the restoration, to Lauzanne in Switzerland, was there assassinated by three Irish ruffians, who hoped to make their fortune by this piece of service. His widow was now prosecuted for harbouring two rebels the day after the battle of Sedgemoor; and Jefferies pushed on the trial with an unrelenting violence. In vain did the aged prisoner plead, that these criminals had been put into no proclamation; had been convicted by no verdict; nor could any man be denominated a traitor, till the sentence of some legal court was passed upon him: that it appeared not by any proof, that she was so much as acquainted with the guilt of the persons, or had heard of their joining the rebellion of Monmouth: that though she might be obnoxious on account of her family, it was well known, that her heart was ever loyal, and that no person in England had shed more tears for that tragical event, in which her husband had unfortunately borne too great a share: and that the same principles, which she herself had ever embraced, she had carefully instilled into her son, and had, at that very time, sent him to fight against those rebels, whom she was now accused of harbouring. Though these arguments did not move Jefferies, they had influence on the jury. Twice they seemed inclined to bring in a favourable verdict: they were as often sent back with menaces and reproaches: and at last were constrained to give sentence against the prisoner. Notwithstanding all applications for pardon, the cruel sen-

tence was executed. The king said, that he had given Jefferies a promise not to pardon her: an excuse, which could serve only to aggravate the blame against himself.

It might have been hoped, that, by all these bloody executions, a rebellion, so precipitate, so ill supported, and of such short duration, would have been sufficiently expiated: but nothing could satiate the spirit of rigour which possessed the administration. Even those multitudes, who received pardon, were obliged to atone for their guilt by fines, which reduced them to beggary; or where their former poverty made them incapable of paying, they were condemned to cruel whippings or severe imprisonments. Nor could the innocent escape the hands, no less rapacious than cruel, of the chief justice. Prideaux, a gentleman of Devonshire, being thrown into prison, and dreading the severe and arbitrary spirit, which at that time met with no control, was obliged to buy his liberty of Jefferies at the price of fifteen thousand pounds; though he could never so much as learn the crime of which he was accused.

Goodenough, the seditious under-sheriff of London, who had been engaged in the most bloody and desperate part of the Rye-house conspiracy, was taken prisoner after the battle of Sedgemoor, and resolved to save his own life by an accusation of Cornish, the sheriff, whom he knew to be extremely obnoxious to the court. Colonel Rumsey joined him in the accusation; and the prosecution was so hastened, that the prisoner was tried, condemned, and executed in the space of a week. The perjury of the witnesses appeared immediately after; and the king seemed to regret the execution of Cornish. He granted his estate to his family, and condemned the witnesses to perpetual imprisonment.

The injustice of this sentence against Cornish, was not wanted to disgust the nation with the court: the continued rigour of the other executions had already impressed an universal hatred against the ministers of justice, attended with compassion for the unhappy sufferers, who, as they had been seduced into this crime, by mistaken principles, bore their punishment with the spirit and zeal of martyrs. The people might have been willing on this occasion to distinguish between the king and his ministers: but care was taken to prove, that the latter had done nothing but what was agreeable to their master. Jefferies, on his return, was immediately, for those eminent services, created a peer; and was soon after vested with the dignity of chancellor. It is pretended, however, with some appearance of authority, that the king was displeased with these cruelties, and put a stop to them by orders, as soon as proper information of them was conveyed to him.^a

STATE OF AFFAIRS IN SCOTLAND.

WE must now take a view of the state of affairs in Scotland; where the fate of Argyle had been decided before that of Monmouth. Immediately after the king's accession, a parliament had been summoned at Edinburgh; and all affairs were there conducted by the duke of Queensberry the commissioner, and the earl of Perth chancellor. The former had resolved to make an entire surrender of the liberties of his country; but was determined still to adhere to its religion: the latter entertained no scruple of paying court even by the sacrifice of both. But no courtier, even the most prostitute, could go farther than the parliament itself towards a resignation of their liberties. In a vote, which they called an offer of duty, after adopting the fabulous history of a hundred and eleven Scottish monarchs, they acknowledged, that all these princes, by the primary and fundamental law of the state, had been vested with a *solid* and *absolute* authority. They declared their abhorrence of all principles and positions derogatory to the king's sacred, supreme, sovereign, absolute power, of which none, they said, whether single persons or collective bodies, can participate, but in dependance on him and by commission from him. They promised, that the whole nation, between sixteen and sixty, shall be in readiness for his majesty's service, where and as oft as it shall be his royal pleasure to require them. And they annexed the whole excise, both of inland and foreign commodities, for ever to the crown.

All the other acts of this assembly savoured of the same spirit. They declared it treason for any person to refuse the test, tendered by the council. To defend the obligation of the covenant, subjected a person to the same penalty. To be present at any conventicle, was made punishable with death and confiscation of moveables. Even such as refused to give testimony, either in cases of treason or non-conformity, were declared equally punishable as if guilty of those very crimes—an excellent prelude to all the rigours of an inquisition. It must be confessed, that nothing could equal the abject servility of the Scottish nation during this period, but the arbitrary severity of the administration.

ARGYLE'S INVASION.

It was in vain that Argyle summoned the people, so lost to all sense of liberty, so degraded by repeated indignities, to rise in vindication of their violated laws and privileges. Even those who declared for him, were, for the greater part, his own vassals; men who, if possible, were still more sunk in slavery than the rest of the nation. He arrived, after a

prosperous voyage, in Argyleshire, attended by some fugitives from Holland; among the rest, by sir Patrick Hume, a man of mild dispositions, who had been driven to this extremity by a continued train of oppression. The privy council was beforehand apprized of Argyle's intentions. The whole militia of the kingdom, to the number of twenty-two thousand men, were already in arms; and a third part of them, with the regular forces, were on their march to oppose him. All the considerable gentry of his clan were thrown into prison. And two ships of war were on the coast to watch his motions. Under all these discouragements he yet made a shift, partly from terror, partly from affection, to collect and arm a body of about two thousand five hundred men; but soon found himself surrounded on all sides with insuperable difficulties. His arms and ammunition were seized: his provisions cut off: the marquis of Athole pressed him on one side; lord Charles Murray on another; the duke of Gordon hung upon his rear; the earl of Dunbarton met him in front. His followers daily fell off from him; but Argyle, resolute to persevere, broke at last with the shattered remains of his troops into the disaffected part of the low countries, which he had endeavoured to allure to him by declarations for the covenant. No one showed either courage or inclination to join him; and his small and still decreasing army, after wandering about for a little time, was at last defeated and dissipated without an enemy. Argyle himself was seized and carried to Edinburgh; where, after enduring many indignities with a gallant spirit, he was publicly executed. He suffered on the former unjust sentence which had been passed upon him. The rest of his followers either escaped or were punished by transportation: Rutherford and Ayloffe, two Englishmen, who had attended Argyle on this expedition, were executed.

A PARLIAMENT. Nov. 9.

THE king was so elated with this continued tide of prosperity, that he began to undervalue even an English parliament, at all times formidable to his family; and from his speech to that assembly, which he had assembled early in the winter, he seems to have thought himself exempted from all rules of prudence, or necessity of dissimulation. He plainly told the two houses, that the militia, which had formerly been so much magnified, was now found, by experience in the last rebellion, to be altogether useless; and he required a new supply, in order to maintain those additional forces which he had levied. He also took notice, that he had employed a great many catholic officers, and that he had, in their favour, dispensed with the law requiring the test to be taken by every one that possessed any public office. And to cut

short all opposition, he declared, that, having reaped the benefit of their service during such times of danger, he was determined, neither to expose them afterwards to disgrace, nor himself, in case of another rebellion, to the want of their assistance.

Such violent aversion did this parliament bear to opposition; so great dread had been instilled of the consequences attending any breach with the king; that it is probable, had he used his dispensing power without declaring it, no enquiries would have been made, and time might have reconciled the nation to this dangerous exercise of prerogative. But to invade at once their constitution, to threaten their religion, to establish a standing army, and even to require them, by their concurrence, to contribute towards all these measures, exceeded the bounds of their patience; and they began, for the first time, to display some small remains of English spirit and generosity. When the king's speech was taken into consideration by the commons, many severe reflections were thrown out against the present measures; and the house was with seeming difficulty engaged to promise, in a general vote, that they would grant some supply. But instead of finishing that business, which could alone render them acceptable to the king, they proceeded to examine the dispensing power; and they voted an address to the king against it. Before this address was presented, they resumed the consideration of the supply; and as one million two hundred thousand pounds were demanded by the court, and two hundred thousand proposed by the country party, a middle course was chosen; and seven hundred thousand, after some dispute, were at last voted. The address against the dispensing power was expressed in most respectful and submissive terms; yet it was very ill received by the king, and his answer contained a flat denial, uttered with great warmth and vehemence. The commons were so daunted with this reply, that they kept silence a long time; and when Coke, member for Derby, rose up and said, "I hope we are all Englishmen, and not to be frightened with a few hard words;" so little spirit appeared in that assembly, often so refractory and mutinous, that they sent him to the Tower for bluntly expressing a free and generous sentiment. They adjourned, without fixing a day for the consideration of his majesty's answer; and on their next meeting, they submissively proceeded to the consideration of the supply, and even went so far as to establish funds for paying the sum voted in nine years and a half. The king, therefore, had in effect, almost without contest or violence, obtained a complete victory over the commons; and that assembly, instead of guarding their liberties, now exposed to manifest peril, conferred an additional revenue on the crown;

and by rendering the king in some degree independent, contributed to increase those dangers with which they had so much reason to be alarmed.

The next opposition came from the house of peers, which has not commonly taken the lead on these occasions; and even from the bench of bishops, where the court usually expects the greatest complaisance and submission. The upper house had been brought, in the first days of the session, to give general thanks for the king's speech; by which compliment they were understood, according to the practice of that time, to have acquiesced in every part of it: yet notwithstanding that step, Compton, bishop of London, in his own name and that of his brethren, moved that a day should be appointed for taking the speech into consideration: he was seconded by Halifax, Nottingham, and Mordaunt. Jefferies, the chancellor, opposed the motion; and seemed inclined to use in that house the same arrogance to which on the bench he had so long been accustomed. But he was soon taught to know his place, and he proved, by his behaviour, that insolence, when checked, naturally sinks into meanness and cowardice. The bishop of London's motion prevailed.

The king might reasonably have presumed, that, even if the peers should so far resume courage as to make an application against his dispensing power, the same steady answer which he had given to the commons would make them relapse into the same timidity; and he might by that means have obtained a considerable supply, without making any concessions in return. But so imperious was his temper, so lofty the idea which he had entertained of his own authority, and so violent the schemes suggested by his own bigotry and that of his priests, that, without any delay, without waiting for any farther provocation, he immediately proceeded to a prorogation. He continued the parliament during a year and a half by four more prorogations; but having in vain tried, by separate applications, to break the obstinacy of the leading members, he at last dissolved that assembly. And as it was plainly impossible for him to find among his protestant subjects a set of men more devoted to royal authority, it was universally concluded, that he intended thenceforth to govern entirely without parliaments.

Never king mounted the throne of England with greater advantages than James; nay, possessed greater facility, if that were any advantage, of rendering himself and his posterity absolute: but all these fortunate circumstances tended only, by his own misconduct, to bring more sudden ruin upon him. The nation seemed disposed of themselves to resign their liberties, had he not, at the same time, made an attempt upon their religion: and he might

even have succeeded in surmounting at once their liberties and religion, had he conducted his schemes with common prudence and discretion. Openly to declare to the parliament, so early in his reign, his intention to dispense with the tests, struck an universal alarm throughout the nation; infused terror into the church, which had hitherto been the chief support of monarchy; and even disgusted the army, by whose means alone he could now purpose to govern. The former horror against popery was revived by polemical books and sermons; and in every dispute the victory seemed to be gained by the protestant divines, who were heard with more favourable ears, and who managed the controversy with more learning and eloquence. But another incident happened at this time, which tended mightily to excite the animosity of the nation against the catholic communion.

Lewis XIV. having long harassed and insulted the protestants, at last revoked entirely the edict of Nantz; which had been enacted by Henry IV. for securing them the free exercise of their religion; which had been declared irrevocable; and which, during the experience of near a century, had been attended with no sensible inconvenience. All the iniquities inseparable from persecution were exercised against those unhappy religionists; who became obstinate in proportion to the oppressions which they suffered, and either covered under a feigned conversion a more violent abhorrence of the catholic communion, or sought among foreign nations for that liberty of which they were bereaved in their native country. Above half a million of the most useful and industrious subjects deserted France; and exported, together with immense sums of money, those arts and manufactures which had chiefly tended to enrich that kingdom. They propagated every where the most tragical accounts of the tyranny exercised against them, and revived among the protestants all that resentment against the bloody and persecuting spirit of popery, to which so many incidents in all ages had given too much foundation. Near fifty thousand refugees passed over into England; and all men were disposed, from their representations, to entertain the utmost horror against the projects which they apprehended to be formed by the king for the abolition of the protestant religion. When a prince of so much humanity and of such signal prudence as Lewis could be engaged, by the bigotry of his religion alone, without any provocation, to embrace such sanguinary and impolitic measures, what might not be dreaded, they asked, from James, who was so much inferior in these virtues, and who had already been irritated by such obstinate and violent opposition? In vain did the king affect to throw the highest blame on the persecutions

in France: in vain did he afford the most real protection and assistance to the distressed Hugonots. All these symptoms of toleration were regarded as insidious; opposite to the avowed principles of his sect, and belied by the severe administration which he himself had exercised against the nonconformists in Scotland.

1686. The smallest approach towards the introduction of popery, must, in the present disposition of the people, have afforded reason of jealousy; much more so wide a step as that of dispensing with the tests, the sole security which the nation, being disappointed of the exclusion-bill, found provided against those dreaded innovations. Yet was the king resolute to persevere in his purpose; and having failed in bringing over the parliament, he made an attempt, with more success, for establishing his dispensing power, by a verdict of the judges. Sir Edward Hales, a new proselyte, had accepted a commission of colonel; and directions were given his coachman to prosecute him for the penalty of five hundred pounds, which the law, establishing the tests, had granted to informers. By this feigned action, the king hoped, both from the authority of the decision, and the reason of the thing, to put an end to all questions with regard to his dispensing power.

It could not be expected that the lawyers appointed to plead against Hales would exert great force on that occasion: but the cause was regarded with such anxiety by the public, that it has been thoroughly canvassed in several elaborate discourses;³ and could men divest themselves of prejudice, there want not sufficient materials on which to form a true judgment. The claim and exercise of the dispensing power is allowed to be very ancient in England; and though it seems at first to have been copied from papal usurpations, it may plainly be traced up as high as the reign of Henry III. In the feudal governments, men were more anxious to secure their private property than to share in the public administration; and provided no innovations were attempted on their rights and possessions, the care of executing the laws, and ensuring general safety, was without jealousy intrusted to the sovereign. Penal statutes were commonly intended to arm the prince with more authority for that purpose; and being in the main calculated for promoting his influence as first magistrate, there seemed no danger in allowing him to dispense with their execution, in such particular cases as might require an exception or indulgence. That practice had so much prevailed, that the parliament itself had more than once acknowledged this prerogative of the crown; particularly during the reign of Henry the Fifth, when they enacted the law against aliens,⁴ and also when they passed the statute of provisors.⁵ But though the general tenor of the penal statutes was such as gave the king

a superior interest in their execution beyond any of his subjects, it could not but sometimes happen in a mixed government, that the parliament would desire to enact laws by which the regal power, in some particulars, even where private property was not immediately concerned, might be regulated and restrained. In the twenty-third of Henry VI. a law of this kind was enacted, prohibiting any man from serving in a county as sheriff above a year; and a clause was inserted by which the king was disabled from granting a dispensation. Plain reason might have taught, that this law, at least, should be exempted from the king's prerogative: but as the dispensing power still prevailed in other cases, it was soon able, aided by the servility of the courts of judicature, even to overpower this statute, which the legislature had evidently intended to secure against violation. In the reign of Henry VII. the case was brought to a trial before all the judges in the exchequer chamber; and it was decreed, that notwithstanding the strict clause above mentioned, the king might dispense with the statute: he could first, it was alleged, dispense with the prohibitory clause, and then with the statute itself. This opinion of the judges, though seemingly absurd, had ever since passed for undoubted law: the practice of continuing the sheriffs had prevailed: and most of the property in England had been fixed by decisions, which juries, returned by such sheriffs, had given in the courts of judicature. Many other dispensations of a like nature may be produced; not only such as took place by intervals, but such as were uniformly continued. Thus the law was dispensed with, which prohibited any man from going a judge of assize into his own county; that which rendered all Welchmen incapable of bearing offices in Wales; and that which required every one who received a pardon for felony, to find sureties for his good behaviour. In the second of James I. a new consultation of all the judges had been held upon a like question: this prerogative of the crown was again unanimously affirmed;⁶ and it became an established principle in English jurisprudence, that though the king could not allow of what was morally unlawful, he could permit what was only prohibited by positive statute. Even the jealous house of commons, who extorted the petition of right from Charles I. made no scruple, by the mouth of Glanville, their manager, to allow of the dispensing power in its full extent;⁷ and in the famous trial of ship-money, Holborne the popular lawyer, had freely, and in the most explicit terms, made the same concession.¹ Sir Edward Coke, the great oracle of English law, had not only concurred with all other lawyers in favour of this prerogative, but seemed even to believe it so inherent in the crown that an act of parliament itself could not

abolish it.⁹ And he particularly observes, that no law can impose such a disability of enjoying offices as the king may not dispense with; because the king, from the law of nature, has a right to the service of all his subjects. This particular reason, as well as all the general principles, is applicable to the question of the tests; nor can the dangerous consequence of granting dispensations in that case or ever allowed to be pleaded before a court of judicature. Every prerogative of the crown, it may be said, admits of abuse: should the king pardon all criminals, law must be totally dissolved: should he declare and continue perpetual war against all nations, inevitable ruin must ensue: yet these powers are intrusted to the sovereign; and we must be content, as our ancestors were, to depend upon his prudence and discretion in the exercise of them.

Though this reasoning seems founded on such principles as are usually admitted by lawyers, the people had entertained such violent prepossessions against the use which James here made of his prerogative, that he was obliged, before he brought on Hales's cause, to displace four of the judges, Jones, Montague, Charleton, and Nevil: and even sir Edward Herbert, the chief justice, though a man of acknowledged virtue, yet, because he here supported the pretensions of the crown, was exposed to great and general reproach. Men deemed a dispensing to be in effect the same with a repealing power; and they could not conceive that less authority was necessary to repeal than to enact any statute. If one penal law was dispensed with, any other might undergo the same fate: and by what principle could even the laws which define property be afterwards secured from violation? The test act had ever been conceived the great barrier of the established religion under a popish successor: as such, it had been insisted on by the parliament; as such, granted by the king; as such, during the debates with regard to the exclusion, recommended by the chancellor. By what magic, what chicanery of law, is it now annihilated, and rendered of no validity? These questions were every where asked; and men, straitened by precedents and decisions of great authority, were reduced either to question the antiquity of this prerogative itself, or to assert, that even the practice of near five centuries could not bestow on it sufficient authority.¹⁰ It was not considered, that the present difficulty or seeming absurdity had proceeded from late innovations introduced into the government. Ever since the beginning of this century, the parliament had, with a laudable zeal, been acquiring powers and establishing principles favourable to law and liberty: the authority of the crown had been limited in many important particulars: and

penal statutes were often calculated to secure the constitution against the attempts of ministers, as well as to preserve a general peace, and repress crimes and immoralities. A prerogative, however, derived from very ancient, and almost uniform practice, the dispensing power, still remained, or was supposed to remain, with the crown; sufficient in an instant to overturn this whole fabric, and to throw down all fences of the constitution. If this prerogative, which carries on the face of it such strong symptoms of an absolute authority in the prince, had yet, in ancient times, subsisted with some degree of liberty in the subject; this fact only proves, that scarcely any human government, much less one erected in rude and barbarous times, is entirely consistent and uniform in all its parts. But to expect that the dispensing power could, in any degree, be rendered compatible with those accurate and regular limitations, which had of late been established, and which the people were determined to maintain, was a vain hope; and though men knew not upon what principles they could deny that prerogative, they saw that, if they would preserve their laws and constitution, there was an absolute necessity for denying, at least for abolishing it. The revolution alone, which soon succeeded, happily put an end to all these disputes: by means of it, a more uniform edifice was at last erected: the monstrous inconsistency, visible between the ancient Gothic parts of the fabric and the recent plans of liberty, was fully corrected: and to their mutual felicity, king and people were finally taught to know their proper boundaries.¹¹

Whatever topics lawyers might find to defend James's dispensing power, the nation thought it dangerous, if not fatal, to liberty, and his resolution of exercising it may on that account be esteemed no less alarming, than if the power had been founded on the most recent and most flagrant usurpation. It was not likely, that an authority, which had been assumed, through so many obstacles, would in his hands lie long idle and unemployed. Four catholic lords were brought into the privy-council, Powis, Arundel, Bellasis, and Dover. Halifax, finding that, notwithstanding his past merits, he possessed no real credit or authority, became refractory in his opposition; and his office of privy seal was given to Arundel. The king was open as well as zealous, in the desire of making converts; and men plainly saw, that the only way to acquire his affection and confidence was by a sacrifice of their religion. Sunderland, some time after, scrupled not to gain favour at this price. Rochester, the treasurer, though the king's brother-in-law, yet, because he refused to give this instance of complaisance, was turned out of his office: the treasury was put in commission, and Bellasis

was placed at the head of it. All the courtiers were disgusted, even such as had little regard to religion. The dishonour, as well as distrust, attending renegades, made most men resolve, at all hazards, to adhere to their ancient faith.

STATE OF SCOTLAND.

In Scotland, James's zeal for proselytism was more successful. The earls of Murray, Perth, and Melfort, were brought over to the court religion; and the two latter noblemen made use of a very courtly reason for their conversion; they pretended, that the papers found in the late king's cabinet, had opened their eyes, and had convinced them of the preference due to the catholic religion. Queensberry, who showed not the same complaisance, fell into total disgrace; notwithstanding his former services, and the important sacrifices which he had made to the measures of the court. These merits could not even ensure him of safety against the vengeance to which he stood exposed. His rival, Perth, who had been ready to sink under his superior interest, now acquired the ascendant; and all the complaints exhibited against him, were totally obliterated. His faith, according to a saying of Halifax, had made him whole.

STATE OF IRELAND.

BUT it was in Ireland chiefly that the mask was wholly taken off, and that the king thought himself at liberty to proceed to the full extent of his zeal and his violence. The duke of Ormond was recalled; and though the primate and lord Granard, two protestants, still possessed the authority of justices, the whole power was lodged in the hands of Talbot, the general, soon after created earl of Tyrconnel; a man who, from the blindness of his prejudices and fury of his temper, was transported with the most immeasurable ardour for the catholic cause. After the suppression of Monmouth's rebellion, orders were given by Tyrconnel to disarm all the protestants, on pretence of securing the public peace, and keeping their arms in a few magazines for the use of the militia. Next, the army was new-modelled; and a great number of officers were dismissed, because it was pretended that they or their fathers had served under Cromwel and the republic. The injustice was not confined to them. Near three hundred officers more were afterwards broken, though many of them had purchased their commissions: about four or five thousand private soldiers, because they were protestants, were dismissed; and being stripped even of their regimentals, were turned out to starve in the streets. While these violences were carrying on, Clarendon,

who had been named lord-lieutenant, came over; but he soon found, that, as he had refused to give the king the desired pledge of fidelity, by changing his religion, he possessed no credit or authority. He was even a kind of prisoner in the hands of Tyrconnel; and as he gave all opposition in his power to the precipitate measures of the catholics, he was soon after recalled, and Tyrconnel substituted in his place. The unhappy protestants now saw all the civil authority, as well as the military force, transferred into the hands of their inveterate enemies; inflamed with hereditary hatred, and stimulated by every motive, which the passion either for power, property, or religion, could inspire. Even the barbarous banditti were let loose to prey on them in their present defenceless condition. A renewal of the ancient massacres was apprehended; and great multitudes, struck with the best grounded terror, deserted the kingdom, and infused into the English nation a dread of those violences, to which, after some time, they might justly, from the prevalence of the catholics, think themselves exposed.

All judicious persons of the catholic communion were disgusted with these violent measures, and could easily foresee the consequences. But James was entirely governed by the rash counsels of the queen and of his confessor, father Peters, a jesuit, whom he soon after created a privy-counsellor. He thought too, that, as he was now in the decline of life, it was necessary for him, by hasty steps, to carry his designs into execution; lest the succession of the princess of Orange should overturn all his projects. In vain did Arundel, Powis, and Bellasis, remonstrate, and suggest more moderate and cautious measures. These men had seen and felt, during the prosecution of the popish plot, the extreme antipathy which the nation bore to their religion; and though some subsequent incidents had seemingly allayed that spirit, they knew that the settled habits of the people were still the same, and that the smallest incident was sufficient to renew the former animosity. A very moderate indulgence, therefore, to the catholic religion would have satisfied them; and all attempts to acquire power, much more to produce a change of the national faith, they deemed dangerous and destructive.¹²

BREACH BETWIXT THE KING AND THE CHURCH.

ON the first broaching of the popish plot, the clergy of the church of England had concurred in the prosecution of it, with the same violence and credulity as the rest of the nation: but dreading afterwards the prevalence of republican and presbyterian principles, they had been engaged to support the

measures of the court; and to their assistance chiefly, James had owed his succession to the crown. Finding that all these services were forgotten, and that the catholic religion was the king's sole favourite, the church had commenced an opposition to court measures; and popery was now acknowledged the more immediate danger. In order to prevent inflammatory sermons on this popular subject, James revived some directions to preachers, which had been promulgated by the late king, in the beginning of his reign, when no design against the national religion was yet formed, or at least apprehended. But in the present delicate and interesting situation of the church, there was little reason to expect that orders founded on no legal authority, would be rigidly obeyed by preachers, who saw no security to themselves but in preserving the confidence and regard of the people. Instead of avoiding controversy, according to the king's injunctions, the preachers every where declaimed against popery; and among the rest, Dr. Sharpe, a clergyman of London, particularly distinguished himself, and affected to throw great contempt on those who had been induced to change their religion by such pitiful arguments as the Romish missionaries could suggest. This topic, being supposed to reflect on the king, gave great offence at court; and positive orders were issued to the bishop of London, his diocesan, immediately to suspend Sharpe, till his majesty's pleasure should be farther known. The prelate replied, that he could not possibly obey these commands, and that he was not empowered, in such a summary manner, to inflict any punishment even upon the greatest delinquent. But neither this obvious reason, nor the most dutiful submissions, both of the prelate and of Sharpe himself, could appease the court. The king was determined to proceed with violence in the prosecution of this affair. The bishop himself he resolved to punish for disobedience to his commands; and the expedient, which he employed for that purpose, was of a nature at once the most illegal and most alarming.

COURT OF ECCLESIASTICAL COMMISSION.

AMONG all the engines of authority formerly employed by the crown, none had been more dangerous, or even destructive, to liberty, than the court of high commission, which, together with the star-chamber, had been abolished in the reign of Charles I. by act of parliament; in which a clause was also inserted, prohibiting the erection, in all future times, of that court, or any of a like nature. But this law was deemed by James no obstacle; and an ecclesiastical commission was anew issued, by which seven¹³ commissioners were vested with

full and unlimited authority over the church of England. On them were bestowed the same inquisitorial powers, possessed by the former court of high commission: they might proceed upon bare suspicion; and the better to set the law at defiance, it was expressly inserted in their patent itself, that they were to exercise their jurisdiction, notwithstanding any law or statute to the contrary. The king's design to subdue the church was now sufficiently known; and had he been able to establish the authority of this new-erected court, his success was infallible. A more sensible blow could not be given, both to national liberty and religion; and happily the contest could not be tried in a cause more iniquitous and unpopular than that against Sharpe and the bishop of London.

SENTENCE AGAINST THE BISHOP OF LONDON.

THE prelate was cited before the commissioners. After denying the legality of the court, and claiming the privilege of all Christian bishops to be tried by the metropolitan and his suffragans; he pleaded in his own defence, that as he was obliged, if he had suspended Sharpe, to act in the capacity of a judge, he could not, consistent either with law or equity, pronounce sentence without a previous citation and trial: that he had by petition represented this difficulty to his majesty; and not receiving any answer, he had reason to think that his petition had given entire satisfaction: that in order to show farther his deference, he had advised Sharpe to abstain from preaching, till he had justified his conduct to the king; advice which, coming from his superior, was equivalent to a command, and had accordingly met with the proper obedience: that he had thus, in his apprehension, conformed himself to his majesty's pleasure; but if he should still be found wanting to his duty in any particular, he was now willing to crave pardon, and to make reparation. All this submission, both in Sharpe and the prelate, had no effect: it was determined to have an example: orders were accordingly sent to the commissioners to proceed: and by a majority of votes the bishop, as well as the doctor, was suspended.

PENAL LAWS SUSPENDED.

ALMOST the whole of this short reign consists of attempts always imprudent, often illegal, sometimes both, against whatever was most loved and revered in the nation: even such schemes of the king's as might be laudable in themselves, were so disgraced by his intentions, that they serve only to aggravate the charge against him. James was become a great patron of toleration, and an enemy to all those persecuting laws which, from the influence of the

church, had been enacted both against the dissenters and catholics. Not content with granting dispensations to particular persons, he assumed a power of issuing a declaration of general indulgence, and of suspending at once all the penal statutes, by which a conformity was required to the established religion. This was a strain of authority, it must be confessed, quite inconsistent with law and a limited constitution; yet was it supported by many strong precedents in the history of England. Even after the principles of liberty were become more prevalent, and began to be well understood, the late king had, oftener than once, and without giving much umbrage, exerted this dangerous power: he had, in 1662, suspended the execution of a law which regulated carriages: during the two Dutch wars, he had twice suspended the act of navigation, and the commons, in 1666, being resolved, contrary to the king's judgment, to enact that iniquitous law against the importation of Irish cattle, found it necessary, in order to obviate the exercise of this prerogative, which they desired not at that time entirely to deny or abrogate, to call that importation a nuisance.

Though the former authority of the sovereign was great in civil affairs, it was still greater in ecclesiastical; and the whole despotic power of the popes was often believed, in virtue of the supremacy, to have devolved to the crown. The last parliament of Charles I. by abolishing the power of the king and convocation to frame canons without consent of parliament, had somewhat diminished the supposed extent of the supremacy; but still, ~~some~~ considerable remains of it, at least very important claims, were preserved, and were occasionally made use of by the sovereign. In 1662, Charles, pleading both the rights of his supremacy and his suspending power, had granted a general indulgence or toleration; and in 1672 he renewed the same edict: though the remonstrances of his parliament obliged him, on both occasions, to retract; and in the last instance, the triumph of law over prerogative was deemed very great and memorable. In general we may remark, that where the exercise of the suspending power was agreeable and useful, the power itself was little questioned: where the exercise was thought liable to exceptions, men not only opposed it, but proceeded to deny altogether the legality of the prerogative on which it was founded.

James, more imprudent and arbitrary than his predecessor, issued his proclamation, suspending all the penal laws in ecclesiastical affairs; and granting a general liberty of conscience to all his subjects. He was not deterred by the reflection, both that this scheme of indulgence was already blasted by

two fruitless attempts; and that in such a government as that of England, it was not sufficient that a prerogative be approved of by some lawyers and antiquaries: if it was condemned by the general voice of the nation, and yet was still exerted, the victory over national liberty was no less signal than if obtained by the most flagrant injustice and usurpation. These two considerations indeed would rather serve to recommend this project to James; who deemed himself superior in vigour and activity to his brother, and who probably thought that his people enjoyed no liberties, but by his royal concession and indulgence.

In order to procure a better reception for his edict of toleration, the king, finding himself opposed by the church, began to pay court to the dissenters; and he imagined that, by playing one party against another, he should easily obtain the victory over both; a refined policy which it much exceeded his capacity to conduct. His intentions were so obvious, that it was impossible for him ever to gain the sincere confidence and regard of the non-conformists. They knew that the genius of their religion was diametrically opposite to that of the catholics, the sole object of the king's affection. They were sensible, that both the violence of his temper, and the maxims of his religion, were repugnant to the principles of toleration. They had seen that, on his accession, as well as during his brother's reign, he had courted the church at their expense; and it was not till his dangerous schemes were rejected by the prelates, that he had recourse to the non-conformists. All his favours, therefore, must, to every man of judgment among the sectaries, have appeared insidious: yet such was the pleasure reaped from present ease, such the animosity of the dissenters against the church, who had so long subjected them to the rigour of persecution, that they every where expressed the most entire duty to the king, and compliance with his measures; and could not forbear rejoicing extremely in the present depression of their adversaries.

But had the dissenters been ever so much inclined to shut their eyes with regard to the king's intentions, the manner of conducting his scheme in Scotland was sufficient to discover the secret. The king first applied to the Scottish parliament, and desired an indulgence for the catholics alone, without comprehending the presbyterians: but that assembly, though more disposed than even the parliament of England, to sacrifice their civil liberties, resolved likewise to adhere pertinaciously to their religion; and they rejected for the first time the king's application. James therefore found himself obliged to exert his prerogative; and he now thought it prudent to interest a party

among his subjects, besides the catholics, in supporting this act of authority. To the surprise of the harassed and persecuted presbyterians, they heard the principles of toleration every where extolled, and found that full permission was granted to attend conventicles; an offence, which, even during this reign, had been declared no less than a capital enormity. The king's declaration, however, of indulgence contained clauses sufficient to depress their joy. As if popery were already predominant, he declared, "that he never would use force or *invincible necessity* against any man on account of his persuasion or the protestant religion:" a promise surely of toleration given to the protestants with great precaution, and admitting a considerable latitude for persecution and violence. • It is likewise remarkable, that the king declared in express terms, "that he had thought fit, by his sovereign authority, prerogative royal, and *absolute* power, which all his subjects were to obey *without reserve*, to grant this royal toleration." The dangerous designs of other princes are to be collected by a comparison of their several actions, or by a discovery of their more secret counsels: but so blinded was James with zeal, so transported by his imperious temper, that even his proclamations and public edicts contain expressions which, without farther inquiry, may suffice to his condemnation.

The English well knew, that the king, by the constitution of their government, thought himself entitled, as indeed he was, to as ample authority in his southern, as in his northern kingdom; and therefore, though the declaration of indulgence published for England was more cautiously expressed, they could not but be alarmed by the arbitrary treatment to which their neighbours were exposed. It is even remarkable, that the English declaration contained clauses of a strange import. The king there promised, that he would maintain his loving subjects in all their properties and possessions, as well of church and abbey lands as of any other. Men thought, that if the full establishment of popery were not at hand, this promise was quite superfluous; and they concluded, that the king was so replete with joy on the prospect of that glorious event, that he could not, even for a moment, refrain from expressing it.

STATE OF IRELAND.

BUT what afforded the most alarming prospect, was the continuance and even increase of the violent and precipitate conduct of affairs in Ireland. Tyrconnel was now vested with full authority; and carried over with him as chancellor one Fitton, a man who was taken from a jail, and who had been convicted of forgery and other crimes, but who com-

pensated for all his enormities by a headlong zeal for the catholic religion. He was even heard to say from the bench, that the protestants were all rogues, and that there was not one among forty thousand that was not a traitor, a rebel, and a villain. The whole strain of the administration was suitable to such sentiments. The catholics were put in possession of the council-table, of the courts of judicature, and of the bench of justices. In order to make them masters of the parliament, the same violence was exercised that had been practised in England. The charters of Dublin and of all the corporations were annulled; and new charters were granted, subjecting the corporations to the will of the sovereign. • The protestant freemen were expelled, catholics introduced; and the latter sect, as they always were the majority in number, were now invested with the whole power of the kingdom. The act of settlement was the only obstacle to their enjoying the whole property; and Tyrconnel had formed a scheme for calling a parliament, in order to reverse that act, and empower the king to bestow all the lands of Ireland on his catholic subjects. But in this scheme he met with opposition from the moderate catholics in the king's council. Lord Bellasis went even so far as to affirm with an oath, "that that fellow in Ireland was fool and madman enough to ruin ten kingdoms." • The decay of trade, from the desertion of the protestants, was represented; the sinking of the revenue; the alarm communicated to England: and by these considerations the king's resolutions were for some time suspended; though it was easy to foresee, from the usual tenor of his conduct, which side would at last preponderate.

• EMBASSY TO ROME.

BUT the king was not content with discovering in his own kingdoms the imprudence of his conduct: he was resolved, that all Europe should be witness of it. He publicly sent the earl of Castlemaine ambassador extraordinary to Rome, in order to express his obedience to the pope, and to make advances for reconciling his kingdoms, in form, to the catholic communion. Never man, who came on so important an errand, met with so many neglects, and even affronts, as Castlemaine. The pontiff, instead of being pleased with this forward step, concluded that a scheme, conducted with so much indiscretion, could never possibly be successful. And as he was engaged in a violent quarrel with the French monarch, a quarrel which interested him more nearly than the conversion of England, he bore little regard to James, whom he believed too closely connected with his capital enemy.

The only proof of complaisance which James

received from the pontiff was his sending a nuncio to England, in return for the embassy. By act of parliament any communication with the pope was made treason: yet so little regard did the king pay to the laws, that he gave the nuncio a public and solemn reception at Windsor. The duke of Somerset, one of the bed-chamber, because he refused to assist at this ceremony, was dismissed from his employment. The nuncio resided openly in London during the rest of this reign. Four catholic bishops were publicly consecrated in the king's chapel, and sent out, under the title of vicars apostolical, to exercise the episcopal function in their respective dioceses. Their pastoral letters, directed to the lay catholics of England, were printed and dispersed by the express allowance and permission of the king. The regular clergy of that communion appeared at court in the habits of their order; and some of them were so indiscreet as to boast, that, in a little time, they hoped to walk in procession through the capital.

While the king shocked in the most open manner all the principles and prejudices of his protestant subjects, he could not sometimes but be sensible, that he stood in need of their assistance for the execution of his designs. He had himself, by virtue of his prerogative, suspended the penal laws, and dispensed with the test; but he would gladly have obtained the sanction of parliament to these acts of power; and he knew that, without this authority, his edicts alone would never afford a durable security to the catholics. He had employed, therefore, with the members of parliament many private conferences, which were then called *chambers*; and he used every expedient of reasons, menaces, and promises, to break their obstinacy in this particular. Finding all his efforts fruitless, he had dissolved the parliament, and was determined to call a new one, from which he expected more complaisance and submission. By the practice of annulling the charters, the king was become master of all the corporations, and could at pleasure change every where the whole magistracy. The church party, therefore, by whom the crown had been hitherto so remarkably supported, and to whom the king visibly owed his safety from all the efforts of his enemies, was deprived of authority; and the dissenters, those very enemies, were, first in London, and afterwards in every other corporation, substituted in their place. Not content with this violent and dangerous innovation, the king appointed certain regulators to examine the qualifications of electors; and directions were given them to exclude all such as adhered to the test and penal statutes.¹⁴ Queries to this purpose were openly proposed in all places, in order to try the sentiments of men, and enable the king to judge of the proceedings of the future parliament. The power

of the crown was at this time so great; and the revenue, managed by James's frugality, so considerable and independent; that, if he had embraced any national party, he had been ensured of success; and might have carried his authority to what length he pleased. But the catholics, to whom he had entirely devoted himself, were scarcely the hundredth part of the people. Even the protestant non-conformists, whom he so much courted, were little more than the twentieth; and what was worse, reposed no confidence in the unnatural alliance contracted with the catholics, and in the principles of toleration, which, contrary to their usual practice in all ages, seemed at present to be adopted by that sect. The king, therefore finding little hope of a speedy success, delayed the summoning of a parliament, and proceeded still in the exercise of his illegal and arbitrary authority.

The whole power in Ireland had been committed to catholics. In Scotland, all the ministers whom the king chiefly trusted, were converts to that religion. Every great office in England, civil and military, was gradually transferred from the protestants. Rochester and Clarendon, the king's brothers-in-law, though they had ever been faithful to his interests, could not, by all their services, atone for their adherence to the national religion; and had been dismissed from their employments. The violent Jeffersons himself, though he had sacrificed justice and humanity to the king, could not give up his religion, was declining in favour and interest. Nothing now remained but to open the door in the church and universities to the intrusion of the catholics. It was not long before the king made this rash effort; and by constraining the prelacy and established church to seek protection in the principles of liberty, he at last left himself entirely without friends and adherents.

Father Francis, a Benedictine, was recommended by the king's mandate to the university of Cambridge for the degree of master of arts; and as it was usual for the university to confer that degree on persons eminent for learning, without regard to their religion; and as they had even admitted lately the secretary to the ambassador of Morocco; the king on that account thought himself the better entitled to compliance. But the university considered, that there was a great difference between a compliment bestowed on foreigners, and degrees which gave a title to vote in all the elections and statutes of the university, and which, if conferred on the catholics, would infallibly in time render that sect entirely superior. They therefore refused to obey the king's mandate, and were cited to appear before the court of ecclesiastical commission. The vice-chancellor was suspended by that court; but

as the university chose a man of spirit to succeed him, the king thought proper for the present to drop his pretensions.

ATTEMPT UPON MAGDALEN COLLEGE.

THE attempt upon the university of Oxford was prosecuted with more inflexible obstinacy, and was attended with more important consequences. This university had lately, in their famous decree, made a solemn profession of passive obedience; and the court probably expected, that they would show their sincerity, when their turn came to practise that doctrine; which, though, if carried to the utmost extent, it be contrary both to reason and to nature, is apt to meet with the more effectual opposition from the latter principle. The president of Magdalen college, one of the richest foundations in Europe, dying about this time, a mandate was sent in favour of Farmer, a new convert, but one who, besides his being a catholic, had not, in other respects, the qualifications required by the statutes for enjoying that office. The fellows of the college made submissive applications to the king for recalling his mandate; but before they received an answer, the day came, on which, by their statutes, they were obliged to proceed to an election. They chose Dr. Hough, a man of virtue, as well as of the firmness and vigour requisite for maintaining his own rights and those of the university. In order to punish the college for this contumacy, as it was called, an inferior ecclesiastical commission was sent down, and the new president and the fellows were cited before it. So little regard had been paid to any consideration besides religion, that Farmer, on enquiry, was found guilty of the lowest and most scandalous vices; insomuch that even the ecclesiastical commissioners were ashamed to insist on his election. A new mandate, therefore, was issued in favour of Parker, lately created bishop of Oxford, a man of a prostitute character, but who, like Farmer, atoned for all his vices by his avowed willingness to embrace the catholic religion. The college represented, that all presidents had ever been appointed by election, and there were few instances of the king's interposing by his recommendation in favour of any candidate; that having already made a regular election of a president, they could not deprive him of his office, and, during his lifetime, substitute any other in his place; that, even if there were a vacancy, Parker, by the statutes of their founder, could not be chosen; that they had all of them bound themselves by oath to observe these statutes, and never on any account to accept of a dispensation; and that the college had at all times so much distinguished itself by its loyalty, that nothing but the most invincible necessity could now oblige them to oppose

his majesty's inclinations. All these reasons availed them nothing. The president and all the fellows, except two who complied, were expelled the college; and Parker was put in possession of the office. This act of violence, of all those which were committed during the reign of James, is perhaps the most illegal and arbitrary. When the dispensing power was the most strenuously insisted on by court lawyers, it had still been allowed, that the statutes which regard private property, could not legally be infringed by that prerogative. Yet in this instance it appeared, that even these were not now secure from invasion. The privileges of a college are attacked: men are illegally dispossessed of their property, for adhering to their duty, to their oaths, and to their religion: the fountains of the church are attempted to be poisoned; nor would it be long, it was concluded, ere all ecclesiastical, as well as civil preferments, would be destroyed on such as, negligent of honour, virtue, and sincerity, basely sacrificed their faith to the reigning superstition. Such were the general sentiments; and as the universities have an intimate connexion with the ecclesiastical establishments, and mightily interest all those who have there received their education, this arbitrary proceeding begat an universal discontent against the king's administration.

The next measure of the court was an insult still more open on the ecclesiastics, and rendered the breach between the king and that powerful body fatal, as well as incurable. It is strange that James, when he felt, from the sentiments of his own heart, what a mighty influence religious zeal had over him, should yet be so insatuated as never once to suspect that it might possibly have a proportionable authority over his subjects. Could he have profited by repeated experience, he had seen instances enow of their strong aversion to that communion, which, from a violent imperious temper, he was determined, by every possible expedient, to introduce into his kingdom.

1688. The king published a second declaration of indulgence, almost in the same terms with the former; and he subjoined an order, that, immediately after divine service, it should be read by the clergy in all the churches. As they were known universally to disapprove of the use made of the suspending power, this clause, they thought, could be meant only as an insult upon them; and they were sensible, that, by their compliance, they should expose themselves, both to public contempt, on account of their tame behaviour, and to public hatred, by their indirectly patronizing so obnoxious a prerogative.¹⁵ They were determined therefore, almost universally, to preserve the regard of the people; their only protection, while the laws were become of so little validity, and

while the court was so deeply engaged in opposite interests. In order to encourage them in this resolution, six prelates, namely Lloyd bishop of St. Asaph, Ken of Bath and Wells, Turner of Ely, Lake of Chichester, White of Peterborough, and Trelawney of Bristol, met privately with the primate, and concerted the form of a petition to the king. They there represent in few words, that, though possessed of the highest sense of loyalty, a virtue of which the church of England had given such eminent testimonies; and though desirous of affording ease, in a legal way, to all protestant dissenters; yet, because the declaration of indulgence was founded on a prerogative formerly declared illegal by parliament, they could not, in prudence, honour, or conscience, so far make themselves parties as the distribution of it all over the kingdom would be interpreted to amount to. They therefore besought the king, that he would not insist upon their reading that declaration.¹⁰

The king was incapable, not only of yielding to the greatest opposition, but of allowing the slightest and most respectful contradiction to pass unensured. He immediately embraced a resolution (and his resolutions, when once embraced, were inflexible) of punishing the bishops, for a petition so popular in its matter, and so prudent and cautious in the expression. As the petition was delivered him in private, he summoned them before the council; and questioned them whether they would acknowledge it. The bishops saw his intention, and seemed long desirous to decline answering; but being pushed by the chancellor, they at last avowed the petition. On their refusal to give bail, they were immediately drawn for their commitment to the Tower; and the crown lawyers received directions to prosecute them for the seditious libel which, it was pretended, they had composed and uttered.

IMPRISONMENT.—

The people were already aware of the danger to which the prelates were exposed; and were raised to the highest pitch of anxiety and attention with regard to the issue of this extraordinary affair. But when they beheld these fathers of the church brought from court under the custody of a guard, when they saw them embarked in vessels, on the river, and conveyed towards the Tower, all their affection for liberty, all their zeal for religion, blazed up at once; and they flew to behold this affecting spectacle. The whole shore was covered with crowds of prostrate spectators, who at once implored the blessing of those holy pastors, and addressed their petitions towards Heaven for protection during this extreme danger to which their country and their religion stood exposed. Even the soldiers, seized with the

contagion of the same spirit, flung themselves on their knees before the distressed prelates, and craved the benediction of those criminals whom they were appointed to guard. Some persons ran into the water, that they might participate more nearly in those blessings, which the prelates were distributing on all around them. The bishops themselves, during this triumphant suffering, augmented the general favour, by the most lowly submissive deportment; and they still exhorted the people to fear God, honour the king, and maintain their loyalty; expressions more animating than the most inflammatory speeches. And no sooner had they entered the precincts of the Tower than they hurried to chapel, in order to return thanks for those afflictions, which Heaven, in defence of its holy cause, had thought them worthy to endure.

TRIAL.—

THEIR passage, when conducted to their trial, was, if possible, attended by greater crowds of anxious spectators. All men saw the dangerous crisis to which affairs were reduced, and were sensible that the king could not have put the issue on a cause more unfavourable for himself than that in which he had so imprudently engaged. Twenty-nine temporal peers (for the other prelates kept aloof) attended the prisoners to Westminster-hall; and such crowds of gentry followed the procession, that scarcely was any room left for the populace to enter. The lawyers for the bishops were, sir Robert Sawyer, sir Francis Pemberton, Pollexfen, Truby, and Sommers. No cause, even during the prosecution of the popish plot, was ever heard with so much zeal and attention. The popular torrent, which, of itself, ran fierce and strong, was now farther irritated by the opposition of government.

The counsel for the bishops pleaded, that the law allowed subjects, if they thought themselves aggrieved in any particular, to apply by petition to the king, provided they kept within certain bounds, which the same law prescribed to them, and which, for the present petition, the prelates had strictly observed, that an active obedience, in cases which were contrary to conscience, was never pretended to be due to government; and law was allowed to be the great measure of the compliance and submission of subjects: that when any person found commands to be imposed upon him which he could not obey, it was more respectful in him to offer his reasons for refusal, than to remain in a sullen and refractory silence: that it was no breach of duty in subjects, even though not called upon, to discover their sense of public measures, in which every one had so intimate a concern: that the bishops in the present case were called upon, and must either express their

approbation by compliance, or their disapprobation by petition: that it could be no sedition to deny the prerogative of suspending the laws, because there really was no such prerogative, nor ever could be, in a legal and limited government: that even if this prerogative were real, it had yet been frequently controverted before the whole nation, both in Westminster-hall, and in both houses of parliament; and no one had ever dreamed of punishing the denial of it as criminal: that the prelates, instead of making an appeal to the people, had applied in private to his majesty, and had even delivered their petition so secretly, that, except by the confession extorted from them before the council, it was found impossible to prove them the authors: and that though the petition was afterwards printed and dispersed, it was not so much as attempted to be proved that they had the least knowledge of the publication.

ACQUITTAL OF THE BISHOPS.

June 17.

THESE arguments were convincing in themselves, and were heard with a favourable disposition by the audience. Even some of the judges, though their seats were held during pleasure, declared themselves in favour of the prisoners. The jury, however, from what cause is unknown, took several hours to deliberate, and kept, during so long a time, the people in the most anxious expectation. But when the wished-for verdict, *not guilty*, was at last pronounced, the intelligence was echoed through the hall, was conveyed to the crowds without, was carried into the city, and was propagated with infinite joy throughout the kingdom.

Ever since Monmouth's rebellion, the king had, every summer, encamped his army on Hounslow-heath, that he might both improve their discipline, and by so unusual a spectacle overawe the mutinous people. A popish chapel was openly erected in the midst of the camp, and great pains were taken, though in vain, to bring over the soldiers to that communion. The few converts, whom the priests had made, were treated with such contempt and ignominy, as deterred every one from following the example. Even the Irish officers, whom the king introduced into the army, served rather, from the aversion borne them, to weaken his interest among them. It happened, that the very day on which the trial of the bishops was finished, James had reviewed the troops, and had retired into the tent of lord Feversham, the general; when he was surprised to hear a great uproar in the camp, attended with the most extravagant symptoms of tumultuary joy. He suddenly enquired the cause, and was told by Feversham, "It was nothing but the rejoicing of the soldiers for

the acquittal of the bishops."—"Do you call that nothing?" replied he, "But so much the worse for them."

The king was still determined to rush forward in the same course, in which he was already, by his precipitate career, so fatally advanced. Though he knew that every order of men, except a handful of catholics, were enraged at his past measures, and still more terrified with the future prospect; though he saw that the same discontents had reached the army, his sole resource during the general disaffection; yet he was incapable of changing his measures, or even of committing his violence in the prosecution of them. He struck out two of the judges, Cowell and Holloway, who had appeared to favour the bishops: he issued orders to prosecute all those clergymen who had not read his declaration; that is, the whole church of England, two hundred excepted: he sent a mandate to the new fellows, whom he had obtruded on Magdalen college, to elect for president, in the room of Parker, lately deceased, one Gifford, a doctor of the Sorbonne, and titular bishop of Madura: and he is even said to have nominated the same person to the see of Oxford. So great an infatuation is perhaps an object of compassion rather than of anger: and is really surprising in a man who, in other respects, was not wholly deficient in sense and accomplishments.

BIRTH OF THE PRINCE OF WALES.

June 10.

A FEW days before the acquittal of the bishops, an event happened, which, in the king's sentiments, much overbalanced all the mortifications received on that occasion. The queen was delivered of a son, who was baptised by the name of James. This blessing was impatiently longed for, not only by the king and queen, but by all the zealous catholics both abroad and at home. They saw, that the king was passed middle age; and that on his death the succession must devolve to the prince and princess of Orange, two zealous protestants, who would soon replace every thing on ancient foundations. Vows therefore were offered at every shrine for a male successor: pilgrimages were undertaken, particularly one to Loretto, by the dutchess of Modena; and success was chiefly attributed to that pious journey. But in proportion as this event was agreeable to the catholics, it increased the disgust of the protestants, by depriving them of that pleasing, though somewhat distant prospect, in which at present they flattered themselves. Calumny even went so far as to ascribe to the king the design of imposing on the world a supposititious child, who might be educated in his principles, and after his death support the catholic religion

in his dominions. The nation almost universally believed him capable, from bigotry, of committing any crime; as they had seen, that, from like motives, he was guilty of every imprudence: and the affections of nature, they thought, would be easily sacrificed to the superior motive of propagating a catholic and orthodox faith. The present occasion was not

the first, when that calumny had been invented. In the year 1682, the queen, then dutchess of York, had been pregnant; and rumours were spread that an imposture would at that time be obtruded upon the nation: but, happily, the infant proved a female, and thereby spared the party all the trouble of supporting their improbable fiction.¹⁷

NOTES.

The quakers address was esteemed somewhat singular for its plainness and simplicity. It was presented in these terms: "We are come to testify our sorrow for the death of our good friend Charles, and our joy for this being made

not of the pen of the king of England, no more than we: Wherefore we hope thou wilt grant us the same liberty which thou allowest thyself. Which doing, we wish thee all manner of happiness."

2 Life of lord keeper North, p. 260
King James's Memoirs, p. 141.

3 Particularly sir Edward Herbert's Defence in the State Trials, and sir Robert Atkins's Enquiry concerning the Dispensing Power.

4 Rot. Parl. 1 Hen. V. n. xv.

5 Rot. Parl. 1 Hen. V. n. xxv. It is

of Richard the Second, the parliament granted the king only a temporary power of dispensing with the statute of

play implication that he had not, of himself, such prerogative. So uncertain were many of these points at that time.

6 Sir Edward Coke's Reports, seventh Report.

7 State Trials, vol. vii first edit p. 205
Parl. Hist. vol. viii. p. 192.

8 State Trials, vol. v first edit p. 171.

9 Report, p. 184.

10 Sir Robert Atkins, p. 21

11 It is remarkable, that the convention, summoned by the prince of Orange, did not, even when they had the making of their own terms in the declaration of rights, venture to condemn the dispensing power in general, which had been uniformly exercised by the former kings of England. They only condemned it so far, as it had been assumed and exercised

of laws, without being able to tell: whether the difference lay in the bulk of rights which passed about a twelvemonth after, the parliament took care to secure themselves more effectually

palatable with all legal liberties and limitations, and they excluded, in pos

Yet even then the house of lords rejected that clause of the bill, which con

with abolishing it for

gular nature of the old English government, than the existence of such a dispensing power. It was not until the liberty discovered, at last, the danger of it. See the Journals

12 D'Avaux, January 10, 1687

13 The persons named were the archbishop of Canterbury, Sancroft, the bishop of Durham, Crew, of Rochester, Sprat, the earl of Rochester, Sunderland,

14 The elections in some places, portion

people to the magistrates, who, by the new charter, were all named by the

king's naming the measure of authority

ment, he set forth a declaration giving

declaration the clergy had been ordered to read to the people after divine service. These orders were agreeable to their party

prejudices, and they willingly submitted to them. The contrary was now the case

15 The words of the petition were: that the great averseness found in the nobles to their distributing and publishing in all

her pri England, being both

want of tenderness to dissenters, in relation to whom we are willing to come to a compromise. It shall be thought fit that the shall be settled in parliament and convocation. But among many other considerations, from this especially, because that declaration is founded upon such a dispensing power as hath been often declared illegal in parliament, and particularly in the years 1662 and 1672,

nt and both in

themselves partly of it all over the

real is capable of swallowing the

lar, that the same calumny, when more buffed, should yet be renewed with such success.

CHAPTER LXXI.

Conduct of the Prince of Orange—He forms a League against France—refuses to concur with the King—resolves to oppose the King—is applied to by the English.—Coalition of Parties.—Prince's Preparations—Offers of France to the King—rejected.—Supposed League with France.—General Discontents.—The King retracts his Measures.—Prince's Declaration.—The Prince lands in England.—General Commotion.—Desertion of the Army—and of Prince George—and of the Princess Anne.—King's Consternation, and Flight.—General Confusion.—King seized at Finsbury.—Second Escape.—King's Character.—Convention summoned.—Settlement of Scotland.—English Convention meets.—Views of the Parties.—Free Conference between the Houses.—Commons prevail.—Settlement of the Crown.—Manners and Sciences.

WHILE every motive, civil and religious, concurred to alienate from the king every rank and denomination of men, it might be expected that his throne would, without delay, fall to pieces by its own weight: but such is the influence of established government; so averse are men from beginning hazardous enterprises; that, had not an attack been made from abroad, affairs might long have remained in their present delicate situation, and James might at last have prevailed in his rash and ill-concerted projects.

CONDUCT OF THE PRINCE OF ORANGE.

THE prince of Orange, ever since his marriage with the lady Mary, had maintained a very prudent conduct; agreeably to that sound understanding with which he was so eminently endowed. He made it a maxim to concern himself little in English affairs, and never by any measure to disgust any of the factious, or give umbrage to the prince who filled the throne. His natural inclination, as well as his interest, led him to employ himself with assiduous industry in the transactions on the continent, and to oppose the grandeur of the French monarch, against whom he had long, both from personal and political considerations, conceived a violent animosity. By this conduct, he gratified the prejudices of the whole English nation: but as he crossed the inclinations of Charles, who sought peace by compliance with France, he had much declined in the favour and affections of that monarch.

James on his accession found it so much his interest to live on good terms with the heir apparent, that he showed the prince some demonstrations of friendship; and the prince, on his part, was not wanting in every instance of duty and regard towards the king. On Monmouth's invasion, he immediately dispatched over six regiments of British troops, which were in the Dutch service; and he offered to take the command of the king's forces against the rebels. How little soever he might approve

of James's administration, he always kept a total silence on the subject, and gave no countenance to those discontents which were propagated with such industry throughout the nation.

It was from the application of James himself, that the prince first openly took any part in English affairs. Notwithstanding the lofty ideas which the king had entertained of his prerogative, he found that the edicts emitted from it still wanted much of the authority of laws, and that the continuance of them might in the issue become dangerous, both to himself and to the catholics, whom he desired to favour. An act of parliament alone could ensure the indulgence or toleration, which he had laboured to establish; and he hoped that, if the prince would declare in favour of that scheme, the members, who had hitherto resisted all his own applications, would at last be prevailed with to adopt it. The consent, therefore, of the prince to the repeal of the penal statutes and of the test was strongly solicited by the king; and in order to engage him to agree to that measure, hopes were given, that England would second him in all those enterprises which his active and extensive genius had with such success planned on the continent. He was at this time the centre of all the negotiations of Christendom.

HE FORMS A LEAGUE AGAINST FRANCE.

THE emperor and the king of Spain, as the prince well knew, were enraged by the repeated injuries which they had suffered from the ambition of Lewis, and still more by the frequent insults which his pride had made them undergo. He was apprized of the influence of these monarchs over the catholic princes of the empire: he had himself acquired great authority with the protestants: and he formed a project of uniting Europe in one general league against the encroachments of France, which seemed so nearly to threaten the independence of all its neighbours.

No characters are more incompatible than those of a conqueror and a persecutor; and Lewis soon found, that besides his weakening France by the banishment of so many useful subjects, the refugees had inflamed all the protestant nations against him, and had raised him enemies who, in defence of their religion as well as liberty, were obstinately resolved to oppose his progress. The city of Amsterdam and other

re-talied into a dependence on France, being terrified with the accounts which they every moment received, of the furious persecutions against the Hugonots, had now dropped all domestic faction, and had entered into an entire confidence with the prince of Orange.² The protestant princes of the empire formed a separate league at Magdebourg for the defence of their religion. The English were anew enraged at the blind bigotry of their sovereign, and were disposed to embrace the most desperate resolutions against him. From a view of the state of Europe during this period, it appears, that Lewis, besides sulking an illustrious reign, had wantonly by this persecution raised invincible barriers to his arms, which otherwise it had been difficult, if not impossible, to resist.

The prince of Orange knew how to avail himself of all these advantages. By his intrigues and influence there was formed at Augsburg a league, in which the whole empire united for its defence against the French monarch. Spain and Holland became parties in the alliance. The accession of Savoy was afterwards obtained. Sweden and Denmark seemed to favour the same cause. But though these numerous states composed the greater part of Europe, the league was still deemed imperfect and unequal to its end, so long as England maintained that neutrality, in which she had hitherto persevered.

James, though more prone to bigotry, was more sensible to his own and to national honour than his brother; and had he not been restrained by the former motive, he would have maintained with more spirit the interests and independence of his kingdoms. When a prospect, therefore, appeared of effecting his religious schemes by opposing the progress of France, he was not averse to that measure; and he gave his son-in-law room to hope, that, by concurring with his views in England, he might prevail with him to second those projects which the prince was so ambitious of promoting.

REFUSES TO CONCUR WITH THE KING.

A more tempting offer could not be made to a person of his enterprising character: but the objections to that measure, upon delibera-

tion, appeared to him insurmountable. The king, he observed, had incurred the hatred of his own subjects: great apprehensions were entertained of his designs: the only resource which the nation saw, was in the future succession of the prince and princess: should he concur in those dreaded measures, he would draw on himself all the odium under which the king laboured: the nation might even refuse to bear the expence of alliances, which would in that case become so suspicious: and he might himself incur the danger of losing a succession which was awaiting him, and which the egregious indiscretion of the king seemed even to give him hopes of reaping, before it should devolve to him by the course of nature. The prince, therefore, would go no farther than to promise his consent to the repeal of the penal statutes, by which the non-conformists as well as catholics were exposed to punishment: the test he deemed a security absolutely necessary for the established religion.

The King did not remain satisfied with a single trial. There was one Stuart, a Scotch lawyer, who had been banished for pretended treasonable practices; but who had afterwards obtained a pardon, and had been recalled. By the king's directions, Stuart wrote several letters to pensionary Fagel, with whom he had contracted an acquaintance in Holland; and besides urging all the motives for an unlimited toleration, he desired that his reasons should, in the king's name, be communicated to the prince and princess of Orange. Fagel during a long time made no reply; but finding that his silence was construed into an assent, he at last expressed his own sentiments and those of their highnesses. He said, that it was their fixed opinion, that no man, merely because he differed from the established faith, should ever, while he remained a peaceable subject, be exposed to any punishment or even vexation. That the prince and princess gave heartily their consent for repealing legally all the penal statutes, as well those which had been enacted against the catholics as against the protestant non-conformists; and would concur with the king in any measure for that purpose. That the test was not to be considered as a penalty inflicted on the professors of any religion, but as a security provided for the established worship. That it was no punishment on men to be excluded from public offices, and to live peaceably on their own revenues or industry. That even in the United Provinces, which were so often cited as models of toleration, though all sects were admitted, yet civil offices were enjoyed by the professors of the established religion alone. That military commands, indeed, were sometimes bestowed on catholics; but as they were conferred with great precaution, and still lay under

the control of the magistrate, they could give no just reason for umbrage. And that their highnesses, however desirous of gratifying the king, and of endeavouring, by every means, to render his reign peaceable and happy, could not agree to any measure which would expose their religion to such imminent danger.

When this letter was published, as it soon was, it inspired great courage into the protestants of all denominations, and served to keep them united in their opposition to the encroachments of the catholics. On the other hand, the king, who was not content with a simple toleration for his own religion, but was resolved that it should enjoy great credit, if not an absolute superiority, was extremely disgusted, and took every occasion to express his displeasure, as well against the prince of Orange as the United Provinces. He gave the Algerine pirates, who preyed on the Dutch, a reception in his harbours, and liberty to dispose of their prizes. He revived some complaints of the East-India company with regard to the affair of Bantam.³ He required the six British regiments in the Dutch service to be sent over. He began to put his navy in a formidable condition. And from all his movements, the Hollanders entertained apprehensions, that he sought only an occasion and pretence for making war upon them.

RESOLVES TO OPPOSE THE KING.

THE prince in his turn resolved to push affairs with more vigour, and to preserve all the English protestants in his interests, as well as maintain them firm in their present union against the catholics. He knew that men of education in England were, many of them, retained in their religion more by honour than by principle;⁴ and that, though every one was ashamed to be the first proselyte, yet if the example was once set by some eminent persons, interest would every day make considerable conversions to a communion, which was so zealously encouraged by the sovereign. Dykvelt therefore was sent over as envoy to England,⁵ and the prince gave him instructions, besides publicly remonstrating on the conduct of affairs both at home and abroad, to apply in his name, after a proper manner, to every sect and denomination. To the church party, he sent assurances of favour and regard, and protested, that his education in Holland had nowise prejudiced him against episcopal government. The non-conformists were exhorted not to be deceived by the fallacious caresses of a popish court, but to wait patiently till, in the fullness of time, laws, enacted by protestants, should give them that toleration which, with so much reason, they had long demanded. Dykvelt executed his commission with such dexterity, that all orders of men

cast their eyes towards Holland, and expected thence a deliverance from those dangers with which their religion and liberty were so nearly threatened.

IS APPLIED TO BY THE ENGLISH.

MANY of the most considerable persons, both in church and state, made secret applications to Dykvelt, and through him to the prince of Orange. Admiral Herbert too, though a man of great expence, and seemingly of little religion, had thrown up his employments, and had retired to the Hague, where he assured the prince of the disaffection of the seamen, by whom that admiral was extremely beloved.⁶ Admiral Russel, cousin-german to the unfortunate lord of that name, passed frequently between England and Holland, and kept the communication open with all the great men of the protestant party. Henry Sidney, brother to Algernon, and uncle to the earl of Sunderland, came over under pretence of drinking the waters at Spaw, and conveyed still stronger assurances of an universal combination against the measures of the king. Lord Dunblaine, son of the earl of Danby, being master of a frigate, made several voyages to Holland, and carried from many of the nobility tenders of duty, and even considerable sums of money,⁷ to the prince of Orange.

There remained, however, some reasons, which retained all parties in awe, and kept them from breaking out into immediate hostility. The prince, on the one hand, was afraid of hazarding, by violent measures, an inheritance which the laws ensured to the princess; and the English protestants, on the other, from the prospect of her succession, still entertained hopes of obtaining at last a peaceable and a safe redress of all their grievances. But when a son was born to the king, both the prince and the English nation were reduced to despair, and saw no resource but in a confederacy for their mutual interests. And thus the event, which James had so long made the object of his most ardent prayers, and from which he expected the firm establishment of his throne, proved the immediate cause of his ruin and downfall.

COALITION OF PARTIES.

ZUYLESTEIN, who had been sent over to congratulate the king on the birth of his son, brought back to the prince invitation from most of the great men in England, to assist them, by his arms, in the recovery of their laws and liberties. The bishop of London, the earls of Danby, Nottingham, Devonshire, Dorset, the duke of Norfolk, the lords Lovelace, Delamere, Paulet, Eland, Mr. Hamden, Powle, Lester, besides many eminent citizens of

London; all these persons, though of opposite parties, concurred in their applications to the prince. The whigs, suitably to their ancient principles of liberty, which had led them to attempt the exclusion bill, easily agreed to oppose a king, whose conduct had justified whatever his worst enemies had prognosticated concerning his succession. The tories and the church party, finding their past services forgotten, their rights invaded, their religion threatened, agreed to drop for the present all over-strained doctrines of submission, and attend to the great and powerful dictates of nature. The non-conformists, dreading the caresses of known and inveterate enemies, deemed the offers of toleration more secure from a prince, educated in those principles, and accustomed to that practice. And thus all faction was for a time laid asleep in England; and rival parties, forgetting their animosity, had secretly concurred in a design of resisting their unhappy and misguided sovereign. The earl of Shrewsbury, who had acquired great popularity by deserting, at this time, the catholic religion, in which he had been educated, left his regiment, mortgaged his estate for forty thousand pounds, and made a tender of his sword and purse to the prince of Orange. Lord Wharton, notwithstanding his age and infirmities, had taken a journey for the same purpose. Lord Mordaunt was at the Hague, and pushed on the enterprise with that ardent and courageous spirit, for which he was so eminent. Even Sunderland, the king's favourite minister, is believed to have entered into a correspondence with the prince; and at the expence of his own honour and his master's interests, to have secretly favoured a cause, which, he foresaw, was likely soon to predominate.⁶

The prince was easily engaged to yield to the applications of the English, and to embrace the defence of a nation, which, during its present fears and distresses, regarded him as its sole protector. The great object of his ambition was to be placed at the head of a confederate army, and by his valour to avenge the injuries, which he himself, his country, and his allies, had sustained from the haughty Lewis. But while England remained under the present government, he despaired of ever forming a league which would be able, with any probability of success, to make opposition against that powerful monarch. The ties of affinity could not be supposed to have great influence over a person of the prince's rank and temper; much more as he knew, that they were at first unwillingly contracted by the king, and had never since been cultivated by any essential favours or good offices. Or should any reproach remain upon him for violating the duties of private life; the glory of delivering oppressed nations would, he hoped, be

able, in the eyes of reasonable men, to make ample compensation. He could not well expect, on the commencement of his enterprise, that it would lead him to mount the throne of England: but he undoubtedly foresaw, that its success would establish his authority in that kingdom. And so egregious was James's temerity, that there was no advantage, so great or obvious, which that prince's indiscretion might not afford his enemies.

The prince of Orange, throughout his whole life, was peculiarly happy in the situations in which he was placed. He saved his own country from ruin, he restored the liberties of these kingdoms, he supported the general independence of Europe. And thus, though his virtue, it is confessed, be not the purest which we meet with in history, it will be difficult to find any person, whose actions and conduct have contributed more eminently to the general interests of society and of mankind.

PRINCE'S PREPARATIONS.

THE time, when the prince entered on his enterprise, was well chosen; as the people were then in the highest ferment, on account of the insult which the imprisonment and trial of the bishops had put upon the church, and indeed upon all the protestants of the nation. His method of conducting his preparations was no less wise and politic. Under other pretences he had beforehand made considerable augmentations to the Dutch navy; and the ships were at that time lying in harbour. Some additional troops were also levied; and sums of money, raised for other purposes, were diverted by the prince to the use of this expedition. The States had given him their entire confidence; and partly from terror of the power of France, partly from disgust at some restraints laid on their commerce in that kingdom, were sensible how necessary success in this enterprise was become to their domestic happiness and security. Many of the neighbouring princes regarded him as their guardian and protector, and were guided by him in all their counsels. He held conferences with Castanaga, governor of the Spanish Netherlands, with the electors of Brandenburg and Saxony, with the landgrave of Hesse-Cassel, and with the whole house of Lunenbourg. It was agreed, that these princes should replace the troops employed against England, and should protect the United Provinces during the absence of the prince of Orange. Their forces were already on their march for that purpose: a considerable encampment of the Dutch army was formed at Nimwegen: every place was in movement; and though the roots of this conspiracy reached from one end of Europe to the other, so secret were the prince's counsels, and so fortunate was the situation of affairs, that he could still

his prep- nder other pu
and little suspicion was entertained of his real intentions.

The king of France, menaced by the league of Augsbourg, had resolved, to strike the first blow against the allies; and having sought a quarrel with the emperor and the elector palatine, he had invaded Germany with a great army, and had laid siege to Philipshourg. The elector of Cologne, who was also bishop of Loege and Munster, and whose territories almost entirely surrounded the United Provinces, had died about this time; and the candidates for that rich succession were prince Clement of Bavaria, supported by the house of Austria, and the cardinal of Furstenberg, a prelate dependent on France. The pope, who favoured the allies, was able to throw the balance between the parties, and prince Clement was chosen; a circumstance which contributed extremely to the security of the States. But as the cardinal kept possession of many of the fortresses, and had applied to France for succour, the neighbouring territories were full of troops; and by this means the preparations of the Dutch and their allies seemed intended merely for their own defence against the different enterprises of Lewis.

OFFERS OF FRANCE TO THE KING.

ALL the artifices, however, of the prince could not entirely conceal his real intentions from the sagacity of the French court. D'Avaux, Lewis's envoy at the Hague, had been able, by a comparison of circumstances, to trace the purposes of the preparations in Holland; and he instantly informed his master of the discovery. Lewis conveyed the intelligence to James; and accompanied the information with an important offer. He was willing to join a squadron of French ships to the English fleet; and to send over any number of troops, which James should judge requisite, for his security. When this proposal was rejected, he again offered to raise the siege of Philipshourg, to march his army into the Netherlands, and by the terror of his arms to detain the Dutch forces in their own country. This proposal met with no better reception.

James was not, as yet, entirely convinced, that his son-in-law intended an invasion upon England. Fully persuaded, himself, of the sacredness of his own authority, he fancied that a like belief had made deep impression on his subjects; and notwithstanding the strong symptoms of discontent which broke out every where, such an universal combination in rebellion appeared to him nowise credible. His army, in which he trusted, and which he had considerably augmented, would easily be able, he thought, to repel foreign force, and to suppress any sedition among the populace. A

small number of French troops, joined to these, might tend only to breed discontent; and afford them a pretence for mutinying against foreigners, so much feared and hated by the nation. A great body of auxiliaries might indeed secure him both against an invasion from Holland, and against the rebellion of his own subjects; but would be able afterwards to reduce him to dependence, and render his authority entirely precarious. Even the French invasion of the Low Countries might be attended with dangerous consequences; and would suffice, in these jealous times, to revive the old suspicion of a combination against Holland, and against the protestant religion; a suspicion, which had already produced such discontents in England. These were the views suggested by Sunderland; and it must be confessed, that the reasons on which they were founded, were sufficiently plausible; and indeed the situation, to which the king had reduced himself, was, to the last degree, delicate and perplexing.

Still Lewis was unwilling to abandon a friend and ally, whose interests he regarded as closely connected with his own. By the suggestion of Skelton, the king's minister at Paris, orders were sent to D'Avaux to remonstrate with the States, in Lewis's name, against those preparations which they were making to invade England. The strict amity, said the French minister, which subsists between the two monarchs, will make Lewis regard every attempt against his ally as an act of hostility against himself. This remonstrance had a bad effect, and put the States in a flame. What is this alliance, they asked, between France and England, which has been so carefully concealed from us? Is it of the same nature with the former; meant for our destruction, and for the extirpation of the protestant religion? If so, it is high time for us to provide for our own defence, and to anticipate those projects which are forming against us.

Even James was displeased with this officious step taken by Lewis for his service. He was not reduced, he said, to the condition of the cardinal of Furstenberg, and obliged to seek the protection of France. He recalled Skelton, and threw him into the Tower for his rash conduct. He solemnly disavowed D'Avaux's memorial; and protested, that no alliance subsisted between him and Lewis, but what was public and known to all the world. The States, however, still affected to appear incredulous on that head; and the English, prepossessed against their sovereign, firmly believed that he had concerted a project with Lewis for their entire subjection. Portsmouth, it was said, was to be put into the hands of that ambitious monarch: England was to be filled with French and Irish troops: and every man, who refused to embrace the Romish superstition, was by

these bigoted princes devoted to certain destruction.

These suggestions were every where spread abroad, and tended to augment the discontents, of which both the fleet and army, as well as the people, betrayed every day the most evident symptoms. The fleet had begun to mutiny; because Strickland, the admiral, a Roman-catholic, introduced the mass aboard his ship, and dismissed the protestant chaplain. It was with some difficulty the seamen could be appeased; and they still persisted in declaring, that they would not fight against the Dutch, whom they called friends and brethren, but would willingly give battle to the French, whom they regarded as national enemies. The king had intended to augment his army with Irish recruits, and he resolved to try the experiment on the regiment of the duke of Berwick, his natural son: but Beaumont, the lieutenant-colonel, refused to admit them; and to this opposition five captains steadily adhered. They were all cashiered; and had not the discontents of the army on this occasion become very apparent, it was resolved to have punished those officers for mutiny.

The king made a trial of the dispositions of his army, in a manner still more undisguised. Finding opposition from all the civil and ecclesiastical orders of the kingdom, he resolved to appeal to the military, who, if unanimous, were able alone to serve all his purposes, and to enforce universal obedience. His intention was to engage all the regiments, one after another, to give their consent to the repeal of the test and penal statutes; and accordingly, the major of Litchfield's drew out the battalion before the king, and told them, that they were required either to enter into his majesty's views in the particulars, or to lay down their arms. James was surprised to find that, two captains and a few popish soldiers excepted, the whole battalion immediately embraced the latter part of the alternative. For some time he remained speechless; but having recovered from his astonishment, he commanded them to take up their arms, adding with a sullen discontented air, "That for the future, he would not do them the honour to apply for their approbation."

THE KING RETRACTS HIS MEASURES.

Sept. 23.

WHILE the king was dismayed with these symptoms of general disaffection, he received a letter from the marquis of Albemarle, his minister at the Hague, which informed him with certainty, that he was soon to look for a powerful invasion from Holland, and that pensionary Fagel had at length acknowledged that the scope of all the Dutch naval preparations

was to transport forces into England. Though James could reasonably expect no other intelligence, he was astonished at the news: he grew pale, and the letter dropped from his hand: his eyes were now opened, and he found himself on the brink of a frightful precipice, which his delusions had hitherto concealed from him. His ministers and counsellors equally astonished, saw no resource but in a sudden and precipitate retraction of all those fatal measures by which he had created to himself so many enemies, foreign and domestic. He paid court to the Dutch, and offered to enter into any alliance with them for common security: he replaced in all the counties the deputy lieutenants and justices, who had been deprived of their commissions for their adherence to the test and the penal laws: he restored the charters of London, and of all the corporations: he annulled the court of ecclesiastical commission: he took off the bishop of London's suspension: he reinstated the expelled president and fellows of Magdalen college: and he was even reduced to caress those bishops whom he had so lately prosecuted and insulted. All these measures were regarded as symptoms of fear, not of repentance. The bishops, instead of promising succour, or suggesting comfort, recapitulated to him all the instances of his mal-administration, and advised him thenceforward to follow more salutary counsel. And as intelligence arrived of a great disaster which had befallen the Dutch fleet, it is commonly believed, that the king recalled, for some time, the concessions which he had made to Magdalen college: a bad sign of his sincerity in his other concessions. Nay, so prevalent were his unfortunate prepossessions, that, amidst all his present distresses, he could not forbear at the baptism of the young prince, appointing the pope to be one of the god-fathers.

The report, that a supposititious child was to be imposed on the nation, had been widely spread, and greedily received, before the birth of the prince of Wales: but the king, who, without seeming to take notice of the matter, might easily have quashed that ridiculous rumour, had, from an ill-timed haughtiness, totally neglected it. He disdained, he said, to satisfy those who could deem him capable of so base and villanous an action. Finding that the calumny gained ground, and had made deep impression on his subjects, he was now obliged to submit to the mortifying task of ascertaining the reality of the birth. Though no particular attention had been beforehand given to ensure proof, the evidence, both of the queen's pregnancy and delivery, was rendered indisputable; and so much the more, as no argument or proof of any importance, nothing but popular rumour and surmise, could be thrown into the opposite scale.

PRINCE'S DECLARATION.

MEANWHILE, the prince of Orange's declaration was dispersed over the kingdom, and met with universal approbation. All the grievances of the nation were there enumerated: the dispensing and suspending power; the court of ecclesiastical commission; the filling of all offices with catholics, and the raising of a Jesuit to be privy-counsellor; the open encouragement given to popery, by building every where churches, colleges, and seminaries, for that sect; the displacing of judges, if they refused to give sentence according to orders received from court; the annulling of the charters of all the corporations and subjecting of elections to arbitrary will and pleasure; the treating of petitions, even the most modest, and from persons of the highest rank, as criminal and seditious; the committing of the whole authority of Ireland, civil and military, into the hands of papists; the assuming of an absolute power over the religion and laws of Scotland, and openly exacting in that kingdom an obedience without reserve; and the violent presumptions against the legitimacy of the prince of Wales. In order to redress all these grievances, the prince said that he intended to come over to England with an armed force, which might protect him from the king's evil counsellors, and that his sole aim was to have a legal and free parliament assembled, who might provide for the safety and liberty of the nation, as well as examine the proofs of the prince of Wales's legitimacy. No one, he added, could entertain such hard thoughts of him as to imagine, that he had formed any other design than to procure the full and lasting settlement of religion, liberty, and property. The force which he meant to bring with him was totally disproportioned to any views of conquest; and it were absurd to suspect, that so many persons of high rank, both in church and state, would have given him so many solemn invitations for such a pernicious purpose. Though the English ministers, terrified with his enterprise, had pretended to redress some of the grievances complained of; care still remained the foundation of all grievances, that upon which they could in an instant be again erected, an arbitrary and despotic power in the crown. And for this usurpation there was no possible remedy, but by a full declaration of all the rights of the subject in a free parliament.

So well concerted were the prince's measures, that, in three days, about four hundred transports were hired; the army quickly fell down the rivers and canals from Nimeguen; the artillery, arms, stores, and horses, were embarked; and the prince set sail from Helvoet-Sluis (21st Oct.), with a fleet of near five hundred vessels, and an army of above fourteen

thousand men. He first encountered a storm, which drove him back: but his loss being soon repaired, the fleet put to sea under the command of admiral Herbert, and made sail with a fair wind towards the west of England. The same wind detained the king's fleet in their station near Harwich, and enabled the Dutch to pass the straits of Dover without opposition. Both shores were covered with multitudes of people, who, besides, admiring the grandeur of the spectacle, were held in anxious suspense by the prospect of an enterprize, the most important, which, during some ages, had been undertaken in Europe. The prince had a prosperous voyage, and landed his army safely in Torbay on the fifth of November, the anniversary of the gunpowder-treason.

GENERAL COMMOTION.

THE Dutch army marched first to Exeter; and the prince's declaration was there published. That whole county was so terrified with the executions which had ensued upon Monmouth's rebellion, that no one for several days joined the prince. The bishop of Exeter in a fright fled to London, and carried to court intelligence of the invasion. As a reward of his zeal, he received the archbishopric of York, which had long been kept vacant, with an intention, as was universally believed, of bestowing it on some catholic. The first person who joined the prince was Sir Edmund Andros, and he was quickly followed by the gentry of the counties of Devon and Somerset, sir Edward Seymour made proposals for an association, which every one signed. By degrees the earl of Abington, Mr. Russell, son of the earl of Bedford, Mr. Wharton, Godfrey, Howe, came to Exeter. All England was in commotion. Lord Delamere took arms in Cheshire, the earl of Danby seized York, the earl of Bath, governor of Plymouth, declared for the prince, the earl of Devonshire made a like declaration in Derby. The nobility and gentry of Nottinghamshire embraced the same cause, and every day there appeared some effect of that universal combination into which the nation had entered against the measures of the king. Even those who took not the field against him, were able to embarrass and confound his counsels. A petition for a free parliament was signed by twenty-four bishops and peers of the greatest distinction, and was presented to the king. No one thought of opposing or resisting the invader.

DESERTION OF THE ARMY.

BUT the most dangerous symptom was the disaffection which from the general spirit of the nation, not from any particular reason, had crept into the army. The officers

seemed all disposed to prefer the interests of their country and of their religion to those principles of honour and fidelity, which are commonly esteemed the most sacred ties by men of that profession. Lord Colchester, son of the earl of Rivers, was the first officer that deserted to the prince; and he was attended by a few of his troops. Lord Lovelace made a like effort; but was intercepted by the militia under the duke of Beaufort, and taken prisoner: lord Cornbury, son of the earl of Clarendon, was more successful. He attempted to carry over three regiments of cavalry; and he actually brought a considerable part of them to the prince's quarters. Several officers of distinction informed Faversham, the general, that they could not in conscience fight against the prince of Orange.

Lord Churchill had been raised from the rank of a page, had been invested with a high command in the army, had been created a peer, and had owed his whole fortune to the king's favour: yet even he could resolve, during the present extremity, to desert his unhappy master, who had ever reposed entire confidence in him. He carried with him the duke of Grafton, natural son of the late king, colonel Berkeley, and some troops of dragoons. This conduct was a signal sacrifice to public virtue of every duty in private life; and required, ever after, the most upright, disinterested, and public-spirited behaviour to render it justifiable.

The king had arrived at Salisbury, the headquarters of his army, when he received this fatal intelligence. That prince, though a severe enemy, had ever appeared a warm, friendly friend. He was extremely shocked with this, as with many other instances of ingratitude, to which he was now exposed. There remained none in whom he could confide. As the whole army had discovered symptoms of discontent, he concluded it full of treachery; and being deserted by those whom he had most favoured and obliged, he no longer expected that others would hazard their lives in his service. During this distraction and perplexity, he embraced a sudden resolution of drawing off his army, and retiring towards London (25th Nov.): a measure which could only serve to betray his fears, and provoke farther treachery.

DESERTION OF PRINCE GEORGE, AND OF THE PRINCESS ANNE

BUT Churchill had prepared a still more mortal blow for his distressed benefactor. His lady and he had an entire ascendancy over the family of prince George of Denmark; and the time now appeared seasonable for overwhelming the unhappy king, who was already staggering with the violent shocks which he had received. Andover was the first stage of James's retreat

towards London; and there prince George, together with the young duke of Ormond, sir George Huet, and some other persons of distinction, deserted him in the night-time, and retired to the prince's camp. No sooner had this news reached London, than the princess Anne, pretending fear of the king's displeasure, withdrew herself in company with the bishop of London and lady Churchill. She fled to Nottingham; where the earl of Dorset received her with great respect, and the gentry of the county quickly formed a troop for her protection.

The late king, in order to gratify the nation, had intrusted the education of his nieces entirely to protestants, and as these princesses were deemed the chief resource of the established religion after their father's defection, great care had been taken to instil into them, from their earliest infancy, the strongest prejudices against popery. During the violence too of such popular currents as now prevailed in England, all private considerations are commonly lost in the general passion; and the more principle any person possesses, the more apt is he, on such occasions, to neglect and abandon his domestic duties. Though these causes may account for the behaviour of the princess, they had nowise prepared the king to expect so astonishing an event. He burst into tears, when the first intelligence of it was conveyed to him. Undoubtedly he foresaw in this incident the total expiration of his royal authority: but the nearer and more intimate concern of a parent laid hold of his heart; when he found himself abandoned in his uttermost distress by a child, and a virtuous child, whom he had ever regarded with the most tender affection. "God help me," cried he, in the extremity of his agony, "my own children have forsaken me!" It is indeed singular, that a prince whose chief blame consisted in imprudences, and misguided principles, should be exposed, from religious antipathy, to such treatment as even Nero, Domitian, or the most enormous tyrants that have disgraced the records of history, never met with from their friends and family.

So violent were the prejudices which at the time prevailed, that this unhappy father, who had been deserted by his favourite child, was believed upon her disappearing, to have put her to death: and it was fortunate, that the truth was timely discovered; otherwise the populace even the king's guards themselves, might have been engaged, in revenge, to commence a massacre of the priests and catholics.

The king's fortune now exposed him to the contempt of his enemies; and his behaviour was not such as could gain him the esteem of his friends and adherents. Unable to resist the torrent, he preserved not presence of mind in yielding to it; but seemed in this emergency

as much depressed with adversity, as he had before been vainly elated by prosperity. He called a council of all the peers and prelates who were in London; and followed their advice in issuing writs for a new parliament, and in sending Halifax, Nottingham, and Godolphin, as commissioners to treat with the prince of Orange. But these were the last acts of royal authority which he exerted. He even hearkened to imprudent counsel, by which he was prompted to desert the throne, and to gratify his enemies beyond what their fondest hopes could have promised them.

The queen observing the fury of the people, and knowing how much she was the object of general hatred, was struck with the deepest terror, and began to apprehend a parliamentary impeachment, from which, she was told, the queens of England were not exempted. The popish courtiers, and above all, the priests, were aware, that they should be the first sacrifice, and that their perpetual banishment was the smallest penalty which they must expect from national resentment. They were, therefore, desirous of carrying the king along with them; whose presence, they knew, would still be some resource and protection to them in foreign countries, and whose restoration, if it ever happened, would again reinstate them in power and authority. The general defection of the protestants made the king regard the catholics as his only subjects, on whose counsel he could rely; and the fatal catastrophe of his father afforded them a plausible reason for making him apprehend a like fate. The great difference of circumstances was not, during men's present distractions, sufficiently weighed. Even after the people were inflamed by a long civil war, the execution of Charles I. could not be deemed a national deed: it was perpetrated by a fanatical army, pushed on by a daring and enthusiastical leader; and the whole kingdom had even entertained, and did still entertain, a violent abhorrence against that enormity. The situation of public affairs, therefore, no more resembled what it was forty years before, than the prince of Orange, either in birth, character, fortune, or connexions, could be supposed a parallel to Cromwel.

The emissaries of France, and among the rest, Barillon, the French ambassador, were busy about the king; and they had entertained a very false notion, which they instilled into him, that nothing would more certainly retard the public settlement, and beget universal confusion, than his deserting the kingdom. The prince of Orange had with good reason embraced a contrary opinion; and he deemed it extremely difficult to find expedients for securing the nation, so long as the king kept possession of the crown. Actuated, therefore, by this public motive, and no less, we may well presume, by private ambition, he was

determined to use every expedient which might intimidate the king, and make him quit that throne which he himself was alone enabled to fill. He declined a personal conference with James's commissioners, and sent the earls of Clarendon and Oxford to treat with them: the terms which he proposed, implied almost a present participation of the sovereignty: and he stopped not a moment the march of his army towards London.

The news which the king received from all quarters, served to continue the panic into which he was fallen, and which his enemies expected to improve to their advantage. Colonel Copel, deputy governor of Hull, made himself master of that important fortress; and threw into prison lord Langdale, the governor, a catholic; together with lord Montgomery, a nobleman of the same religion. The town of Newcastle received lord Luffley, and declared for the prince of Orange and a free parliament. The duke of Norfolk, lord lieutenant of the county of that name, engaged it in the same measure. The prince's declaration was read at Oxford by the duke of Ormond, and was received with great applause by that loyal university, who also made an offer of their plate to the prince. Every day, some person of quality or distinction, and among the rest the duke of Somerset, went over to the enemy. A violent declaration was dispersed in the prince's name, but without his participation; in which every one was commanded to seize and punish all papists, who, contrary to law, pretended either to carry arms, or exercise any act of authority. It may not be unworthy of notice, that a merry ballad, called *Lilliballero*, being at that time published in derision of the papists and the Irish, it was greedily received by the people, and was sung by all ranks of men, even by the king's army, who were strongly seized with the national spirit. This incident both discovered, and served to increase, the general discontent of the kingdom.

The contagion of mutiny and disobedience had also reached Scotland, whence the regular forces, contrary to the advice of Balcarres, the treasurer, were withdrawn, in order to reinforce the English army. The marquis of Athole, together with viscount Tarbat, and others, finding the opportunity favourable, began to form intrigues against Perth, the chancellor; and the presbyterians and other malcontents flocked from all quarters to Edinburgh. The chancellor, apprehensive of the consequences, found it expedient to abscond; and the populace, as if that event were a signal for their insurrection, immediately rose in arms, and rifled the popish chapel in the king's palace. All the catholics, even all the zealous royalists, were obliged to conceal themselves; and the privy council, instead of their former submissive strains of address to the king, and violent

edicts against their fellow subjects, now made applications to the prince of Orange, as the restorer of law and liberty.

KING'S FLIGHT. Dec. 12.

THE king every moment alarmed, more and more, by these proofs of a general disaffection, not daring to repose trust in any but those who were exposed to more danger than himself, agitated by disdain towards ingratitude, by indignation against disloyalty, impelled by his own fears and those of others, precipitately embraced the resolution of escaping into France; and he sent off beforehand the queen and the infant prince, under the conduct of count Lauzun, an old favourite of the French monarch. He himself disappeared in the night time, attended only by sir Edward Hales; and made the best of his way to a ship which waited for him near the mouth of the river. As if this measure had not been the most grateful to his enemies of any that he could adopt, he had carefully concealed his intention from all the world; and nothing could equal the surprise which seized the city, the court, and the kingdom, upon the discovery of this strange event. Men beheld, all of a sudden, the reins of government thrown up by the hand which held them; and saw none, who had any right, or even pretension, to take possession of them.

The more effectually to solve every thing in confusion, the king appointed not any one, who should, in his absence, exercise any part of the administration; he threw the great seal into the river; and he recalled all those writs which had been issued for the election of the new parliament. It is often supposed, that the sole motive which impelled him to this sudden desertion, was his reluctance to meet a free parliament, and his resolution not to submit to those terms which his subjects would deem requisite for the security of their liberties and their religion. But it must be considered, that his subjects had first deserted him, and entirely lost his confidence; that he might reasonably be supposed to entertain fears for his liberty, if not for his life; and that the conditions would not probably be moderate, which the nation, sensible of his inflexible temper, enraged with the violation of the laws and the danger of their religion, and foreseeing his resentment on account of their past resistance, would, in his present circumstances, exact from him.

By this temporary dissolution of government, the populace were masters; and there was no disorder which, during their present ferment, might not be dreaded from them. They rose in a tumult and destroyed all the mass-houses. They even attacked and rifled the houses of the Florentine envoy and Spanish ambassador, where many of the catholics had lodged their most valuable effects. Jefferies, the chancellor, who

had disguised himself, in order to fly the kingdom, was discovered by them, and so abused, that he died a little after. Even the army, which should have suppressed those tumults, would, it was apprehended, serve rather to increase the general disorder. Feversham had no sooner heard of the king's flight, than he disbanded the troops in the neighbourhood, and without either disarming or paying them, let them loose to prey upon the country.

In this extremity, the bishops and peers who were in town, being the only remaining authority of the state (for the privy council, composed of the king's creatures, was totally disregarded), thought proper to assemble, and to interpose for the preservation of the community. They chose the marquis of Halifax speaker: they gave directions to the mayor and aldermen for keeping the peace of the city, they issued orders, which were readily obeyed, to the fleet, the army, and all the garrisons: and they made applications to the prince of Orange, whose enterprise they highly applauded, and whose success they joyfully congratulated.

The prince, on his part, was not wanting to the tide of success which flowed in upon him, nor backward in assuming that authority which the present exigency had put into his hands. Besides the general popularity attending his cause, a new incident made his approach to London, still more grateful. In the present trepidation of the people, a rumour arose, either from chance or design, that the disbanded Irish had taken arms, and had commenced an universal massacre of the protestants. This ridiculous belief was spread all over the kingdom in one day; and begat every where the deepest consternation. The alarm bells were rung; the beacons fired; men fancied that they saw at a distance the smoke of the burning cities, and heard the groans of those who were slaughtered in their neighbourhood. It is surprising, that the catholics did not all perish, in the rage which naturally succeeds to such popular panics.

KING SEIZED AT FEVERSHAM.

WHILE every one, from principle, interest, or animosity, turned his back on the unhappy king, who had abandoned his own cause, the unwelcome news arrived, that he had been seized by the populace at Feversham, as he was making his escape in disguise; that he had been much abused till he was known; but that the gentry had then interposed and protected him, though they still refused to consent to his escape. This intelligence threw all parties into confusion. The prince sent Zuylewstein with orders, that the king should approach no nearer than Rochester; but the message came too late. He was already arrived in London,

where the populace, moved by compassion for his unhappy fate, and actuated by their own levity, had received him with shouts and acclamations.

During the king's abode at Whitehall, little attention was paid to him by the nobility or any persons of distinction. They had, all of them, been previously disgusted on account of his blind partiality to the catholics; and they knew that they were now become criminal in his eyes, by their late public applications to the prince of Orange. He himself showed not any symptom of spirit, nor discovered any intention of resuming the reins of government, which he had once thrown aside. His authority was now plainly expired; and as he had exercised his power, while possessed of it, with very precipitate and haughty counsels, he relinquished it by a despair equally precipitate and pusillanimous.

Nothing remained for the now ruling powers but to deliberate how they should dispose of his person. Besides that the prince may justly be supposed to have possessed more generosity than to think of offering violence to an unhappy monarch, so nearly related to him, he knew that nothing would so effectually promote his own views as the king's retiring into France, a country at all times obnoxious to the English. It was determined, therefore, to push him into that measure, which, of himself, he seemed sufficiently inclined to embrace. The king having sent lord Feversham on a civil message to the prince, desiring a conference for an accommodation in order to the public settlement, that nobleman was put in arrest, under pretence of his coming without a passport: the Dutch guards were ordered to take possession of Whitehall, where James then resided, and to displace the English: and Halifax, Shrewsbury, and Delamere, brought a message from the prince, which they delivered to the king in bed after midnight, ordering him to leave his palace next morning, and to depart for Ham, a seat of the dutchess of Lauderdale's. He desired permission, which was easily granted, of retiring to Rochester, a town near the sea-coast. It was perceived, that the artifice had taken effect; and that the king, terrified with this harsh treatment, had renewed his former resolution of leaving the kingdom.

SECOND ESCAPE. Dec. 23.

He lingered, however, some days at Rochester, under the protection of a Dutch guard, and seemed desirous of an invitation still to keep possession of the throne. He was undoubtedly sensible, that, as he had at first trusted too much to his people's loyalty, and, in confidence of their submission, had offered the greatest violence to their principles and

prejudices; so now he, at last, on finding his disappointment, gone too far in the other extreme, and had hastily supposed them destitute of all sense of duty or allegiance. But observing that the church, the nobility, the city, the country, all concurred in neglecting him, and leaving him to his own counsels, he submitted to his melancholy fate; and being urged by earnest letters from the queen, he privately embarked on board a frigate which waited for him; and he arrived safely at Ambleuse in Picardy, whence he hastened to St. Germain's. Lewis received him with the highest generosity, sympathy, and regard; a conduct which, more than his most signal victories, contributes to the honour of that great monarch.

KING'S CHARACTER.

Thus ended the reign of a prince, whom, if we consider his personal character rather than his public conduct, we may safely pronounce more unfortunate than criminal. He had many of those qualities which form a good citizen: even some of those which, had they not been swallowed up in bigotry and arbitrary principles, serve to compose a good sovereign. In domestic life his conduct was irreproachable, and is entitled to our approbation. Severe, but open in his enmities, steady in his counsels, diligent in his schemes, brave in his enterprises, faithful, sincere, and honourable in his dealings with all men: such was the character with which the duke of York mounted the throne of England. In that high station, his frugality of public money was remarkable, his industry exemplary, his application to naval affairs successful, his encouragement of trade judicious, his jealousy of national honour laudable: what then was wanting to make him an excellent sovereign? A due regard and affection to the religion and constitution of his country. Had he been possessed of this essential quality, even his middling talents, aided by so many virtues, would have rendered his reign honourable and happy. When it was wanting, every excellency which he possessed became dangerous and pernicious to his kingdom.

The sincerity of this prince (a virtue on which he highly valued himself) has been much questioned in those reiterated promises which he had made of preserving the liberties and religion of the nation. It must be confessed, that his reign was almost one continued invasion of both; yet it is known, that, to his last breath, he persisted in asserting, that he never meant to subvert the laws, or procure more than a toleration and an equality of privileges to his catholic subjects. This question can only affect the personal character of the king, not our judgment of his public conduct. Though by a stretch of candour we should

admit of his sincerity in these professions, the people were equally justifiable in their resistance of him. So lofty was the idea which he had entertained of his *legal* authority, that it left his subjects little or no right to liberty, but what was dependent on his sovereign will and pleasure. And such was his zeal for proselytism, that whatever he might at first have intended, he plainly stopped not at toleration and equality: he confined all power, encouragement, and favour, to the catholics: converts from interest would soon have multiplied upon him: if not the greater at least the better part of the people, he would have flattered himself, was brought over to his religion: and he would in a little time have thought it just, as well as pious, to bestow on them all the public establishments. Rigours and persecutions against heretics would speedily have followed, and thus liberty and the protestant religion would in the issue have been totally subverted; though we should not suppose that James, in the commencement of his reign, had formally fixed a plan for that purpose. And, on the whole, allowing this king to have possessed good qualities and good intentions, his conduct serves only, on that very account, as a stronger proof, how dangerous it is to allow any prince, infected with the catholic superstition, to wear the crown of these kingdoms.

After this manner, the courage and abilities of the prince of Orange, seconded by surprising fortune, had effected the deliverance of this island; and with very little effusion of blood (for only one officer of the Dutch army and a few private soldiers fell in an accidental skirmish) had dethroned a great prince, supported by a formidable fleet and numerous army. Still the more difficult task remained, and what perhaps the prince regarded as not the least important: the obtaining for himself that crown, which had fallen from the head of his father-in-law. Some lawyers, entangled in the subtleties and forms of their profession, could think of no expedient, but that the prince should claim the crown by right of conquest; should immediately assume the title of sovereign; and should call a parliament, which, being thus legally summoned by a king in possession, could ratify whatever had been transacted before they assembled. But this measure, being destructive of the principles of liberty, the only principles on which his future throne could be established, was prudently rejected by the prince, who, finding himself possessed of the good-will of the nation, resolved to leave them entirely to their own guidance and direction. The peers and bishops, to the number of near ninety, made an address desiring him to summon a convention by circular letters; to assume, in the mean time, the management of public affairs; and to concert measures for the security of Ireland. At

the same time, they refused reading a letter, which the king had left, in order to apologize for his late desertion, by the violence which had been put upon him. This step was a sufficient indication of their intentions with regard to that unhappy monarch.

CONVENTION SUMMONED.

THE prince seemed still unwilling to act upon an authority, which might be deemed so imperfect: he was desirous of obtaining a more express declaration of the public consent. A judicious expedient was fallen on for that purpose. All the members, who had sitten in the house of commons during any parliament of Charles II. (the only parliaments whose election was regarded as free) were invited to meet; and to them were added the mayor, aldermen, and fifty of the common council. This was regarded as the most proper representative of the people that could be summoned during the present emergency. They unanimously voted the same address with the lords: and the prince, being thus supported by all the legal authority which could possibly be obtained in this critical juncture, wrote circular letters to the counties and corporations of England; and his orders were universally complied with. A profound tranquillity prevailed throughout the kingdom; and the prince's administration was submitted to, as if he had succeeded in the most regular manner to the vacant throne. The fleet received his orders: the army, without murmur or opposition, allowed him to new-model them: and the city supplied him with a loan of two hundred thousand pounds.

SETTLEMENT OF SCOTLAND.

Jan. 7. 1689.

THE conduct of the prince, with regard to Scotland, was founded on the same prudent and moderate maxims. Finding that there were many Scotchmen of rank at that time in London, he summoned them together, laid before them his intentions, and asked their advice in the present emergency. This assembly, consisting of thirty noblemen and about four score gentlemen, chose duke Hamilton president; a man who, being of a temporising character, was determined to pay court to the present authority. His eldest son, the earl of Arran, professed an adherence to king James; a usual policy in Scotland, where the father and son, during civil commotions, were often observed to take opposite sides, in order to secure, in all events, the family from attainer. Arran proposed to invite back the king upon conditions; but as he was vehemently opposed in this motion by sir Patrie Hume, and seconded by nobody, the assembly made an offer to the prince of the present administration,

which he willingly accepted. To anticipate a little in our narration, a convention, by circular letters from the prince, was summoned at Edinburgh on the twenty-second of March; where it was soon visible, that the interest of the malcontents would entirely prevail. The more zealous royalists, regarding this assembly as illegal, had forborne to appear at elections; and the other party were returned for most places. The revolution was not, in Scotland, as in England, effected by a coalition of whig and tory: the former party alone had overpowered the government, and were too much enraged by the past injuries which they had suffered, to admit of any composition with their former masters. As soon as the purpose of the convention was discovered, the earl of Balcarrais and viscount Dundee, leaders of the tories, withdrew from Edinburgh; and the convention having passed a bold and decisive vote, that king James, by his mal-administration and his abuse of power, had *forfeited* all title to the crown, they made a tender of the royal dignity to the prince and princess of Orange.

ENGLISH CONVENTION MEETS.

Jan. 22.

THE English convention was assembled; and it immediately appeared, that the house of commons, both from the prevailing humour of the people, and from the influence of present authority, were mostly chosen from among the whig party. After thanks were unanimously given by both houses to the prince of Orange, for the deliverance which he had brought them, a less decisive vote than that of the Scottish convention was in a few days passed by a great majority of the commons, and sent up to the peers for their concurrence. It was contained in these words: "That king James II. having endeavoured to subvert the constitution of the kingdom, by breaking the original contract between king and people; and having, by the advice of Jesuits and other wicked persons, violated the fundamental laws, and withdrawn himself out of the kingdom, has abdicated the government, and that the throne is thereby vacant." This vote, when carried to the upper house, met with great opposition; of which it is here necessary for us to explain the causes.

The tories and the high-church party, finding themselves at once menaced with a subversion of the laws and of their religion, had zealously promoted the national revolt, and had on this occasion departed from those principles of non-resistance, of which, while the king favoured them, they had formerly made such loud professions. Their present apprehensions had prevailed over their political tenets; and the unfortunate James, who had too much trusted to those general declarations which never will be reduced to practice, found in the issue, that

both parties were secretly united against him. But no sooner was the danger past, and the general fears somewhat allayed, than party prejudices resumed, in some degree, their former authority; and the tories were abashed at that victory, which their antagonists, during the late transactions, had obtained over them. They were inclined, therefore, to steer a middle course; and, though generally determined to oppose the king's return, they resolved not to consent to dethroning him, or altering the line of succession. A regent with kingly power was the expedient which they proposed; and a late instance in Portugal seemed to give some authority and precedent to that plan of government.

In favour of this scheme the tories urged, that, by the uniform tenor of the English laws, the title to the crown ~~was~~ ever regarded as sacred, and could, on no account, and by no mal-administration, be forfeited by the sovereign: that to dethrone a king and to elect his successor, was a practice quite unknown to the constitution and had a tendency to render kingly power entirely dependent and precarious: that where the sovereign, from his tender years, from lunacy, or from other natural infirmity, was incapacitated to hold the reins of government, both the laws and former practice agreed in appointing a regent, who, during the interval, was invested with the whole power of the administration: that the inveterate and dangerous prejudices of king James had rendered him as unfit to ~~sway~~ the English sceptre, as if he had fallen into lunacy; and it was therefore natural for the people to have recourse to the same remedy: that the election of one king was a precedent for the election of another; and the government, by that means, would either degenerate into a republic, or, what was worse, into a turbulent and seditious monarchy: that the base was still more dangerous, if there remained a prince, who claimed the crown by right of succession, and disputed, on so plausible a ground, the title of the present sovereign: that though the doctrine of non-resistance might not, in every possible circumstance, be absolutely true, yet was the belief of it very expedient; and to establish a government, which should have the contrary principle for its basis, was to lay a foundation for perpetual revolutions and convulsions: that the appointment of a regent was indeed exposed to many inconveniences; but so long as the line of succession was preserved entire, there was still a prospect of putting an end, some time or other, to public disorders: and that scarcely an instance occurred in history, especially in the English history, where a disputed title had not, in the issue, been attended with much greater ills, than all those which the people had sought to shun, by departing from the legal successor.

The leaders of the whig party, on the other hand, asserted, that, if there were any ill in the precedent, that ill would result as much from establishing a regent, as from dethroning one king, and appointing his successor; nor would the one expedient, if wantonly and rashly embraced by the people, be less the source of public convulsions than the other: that if the laws gave no express permission to depose the sovereign, neither did they authorize resisting his authority, or separating the power from the title: that a regent was unknown, except where the king, by reason of his tender age or his infirmities, was incapable of a will; and in that case, his will was supposed to be involved in that of the regent: that it would be the height of absurdity to try a man for acting upon a commission, received from a prince, whom we ourselves acknowledge to be the lawful sovereign; and no jury would decide so contrary both to law and common sense, as to condemn such a pretended criminal: that even the prospect of being delivered from this monstrous inconvenience was, in the present situation of affairs, more distant than that of putting an end to a disputed succession: that allowing the young prince to be the legitimate heir, he had been carried abroad; he would be educated in principles destructive of the constitution and established religion; and he would probably leave a son, liable to the same insuperable objection: that if the whole line were cut off by law, the people would in time forget or neglect their claim; an advantage which could not be hoped for, while the administration was conducted in their name, and while they were still acknowledged to possess the legal title: and that a nation thus perpetually governed by regents or protectors, approached much nearer to a republic than one subject to monarchs, whose hereditary regular succession, as well as present authority, was fixed and appointed by the people.

This question was agitated with great zeal by the opposite parties in the house of peers. The chief speakers among the tories were, Clarendon, Rochester, and Nottingham; among the whigs, Halifax and Danby. The question was carried for a king by two voices only, fifty-one against forty-nine. All the prelates, except two, the bishops of London and Bristol, voted for a regent. The primate, a disinterested but pusillanimous man, kept at a distance, both from the prince's court and from parliament.

The house of peers proceeded next to examine piecemeal the vote sent up to them by the commons. They debated, "Whether there were an original contract between king and people?" and the affirmative was carried by fifty-three against forty-six; a proof that the tories were already losing ground. The next question was, "Whether king James had broken that original contract?" and, after a

slight opposition, the affirmative prevailed. The lords proceeded to take into consideration the word *abdicated*; and it was carried that *deserted* was more proper. The concluding question was, "Whether king James, having broken the original contract and *deserted* the government, the throne was thereby vacant?" This question was debated with more heat and contention than any of the former; and upon its division, the tories prevailed by eleven voices, and it was carried to omit the last article, with regard to the vacancy of the throne. The vote was sent back to the commons with these amendments.

The earl of Danby had entertained the project of bestowing the crown solely upon the princess of Orange, and of admitting her as hereditary legal successor to king James; passing by the infant prince, as illegitimate or supposititious. His change of party in the last question gave the tories so considerable a majority in the number of voices.

FREE CONFERENCES BETWIXT THE HOUSES.

THE commons still insisted on their own vote, and sent up reasons why the lords should depart from their amendments. The lords were not convinced; and it was necessary to have a free conference, in order to settle this controversy. Never surely was national debate more important, or managed by more able speakers; yet is one surprised to find the topics insisted on by both sides so frivolous; more resembling the verbal disputes of the schools, than the solid reasonings of statesmen and legislators. In public transactions of such consequence, the true motives which produce any measure are seldom avowed. The whigs, now the ruling party, having united with the tories, in order to bring about the revolution, had so much deference for their new allies as not to insist that the crown should be declared *forfeited*, on account of the king's mal-administration: such a declaration, they thought, would imply too express a censure of the old tory principles, and too open a preference of their own. They agreed, therefore, to confound together the king's abusing his power, and his withdrawing from the kingdom; and they called the whole an *abdication*: as if he had given a virtual, though not a verbal consent to dethroning himself. The tories took advantage of this obvious impropriety, which had been occasioned merely by the complaisance or prudence of the whigs; and they insisted upon the word *desertion*, as more significant and intelligible. It was retorted on them, that however that expression might be justly applied to the king's withdrawing himself, it could not, with any propriety be extended to his violation of the fundamental laws.

And thus both parties, while they warped their principles from regard to their antagonists, and from prudential considerations, lost the praise of consistence and uniformity.

The managers for the lords next insisted, that even allowing the king's abuse of power to be equivalent to an abdication, or, in other words, to a civil death, it could operate no otherwise than his voluntary resignation, or his natural death; and could only make way for the next successor. It was a maxim of English law, *that the throne was never vacant*; but instantly, upon the demise of one king, was filled with his legal heir, who was entitled to all the authority of his predecessor. And however young or unfit for government the successor, however unfortunate in his situation, though he were even a captive in the hands of public enemies; yet no just reason, they thought, could be assigned why, without any default of his own, he should lose a crown, to which, by birth, he was fully entitled. The managers for the commons might have opposed this reasoning by many specious, and even solid arguments. They might have said, that the great security for allegiance being merely opinion, any scheme of settlement should be adopted, in which it was most probable the people would acquiesce and persevere: that though, upon the natural death of a king, whose administration had been agreeable to the laws, many and great inconveniencies could be endured, rather than exclude his lineal successor; yet the case was not the same, when the people had been obliged, by their revolt, to dethrone a prince whose illegal measures had, in every circumstance, violated the constitution: that, in these extraordinary revolutions, the government reverted, in some degree, to its first principles, and the community acquired a right of providing for the public interests by expedients which, on other occasions, might be deemed violent and irregular: that the recent use of one extraordinary remedy reconciled the people to the practice of another, and more familiarised their minds to such licences, than if the government had run on in its usual tenor: and that king James, having carried abroad his son, as well as withdrawn himself, had given such just provocation to the kingdom, had voluntarily involved it in such difficulties, that the interests of his family were justly sacrificed to the public settlement and tranquillity. Though these topics seem reasonable, they were entirely forborne by the whig managers; both because they implied an acknowledgment of the infant prince's legitimacy, which it was agreed to keep in obscurity, and because they contained too express a condemnation for tory principles. They were content to maintain the vote of the commons by shifts and evasions; and both sides parted at last without coming to any agreement.

But it was impossible for the public to remain long in the present situation. The perseverance, therefore, of the lower house obliged the lords to comply; and, by the desertion of some peers to the whig party, the vote of the commons, without any alteration, passed by a majority of fifteen in the upper house, and received the sanction of every part of the legislature which then subsisted.

It happens unluckily for those who maintain an original contract between the magistrate and people, that great revolutions of government, and new settlements of civil constitutions, are commonly conducted with such violence, tumult, and disorder, that the public voice can scarcely ever be heard; and the opinions of the citizens are at that time less attended to than even in the common course of administration. The present transactions in England, it must be confessed, are a singular exception to this observation. The new elections had been carried on with great tranquillity and freedom: the prince had ordered the troops to depart from all the towns where the voters assembled: a tumultuary petition to the two houses having been promoted, he took care, though the petition was calculated for his advantage, effectually to suppress it: he entered into no intrigues, either with the electors or the members: he kept himself in a total silence, as if he had been nowise concerned in these transactions: and so far from forming cabals with the leaders of parties, he declined even to bestow caresses on those whose assistance might be useful to him. This conduct was highly meritorious, and discovered great moderation and magnanimity; even though the prince unfortunately, through the whole course of his life, and on every occasion, was noted for an address so cold, dry, and distant, that it was very difficult for him, on account of any interest, to soften or familiarize it.

At length the prince deigned to break silence, and to express, though in a private manner, the sentiments on the present situation of affairs. He called together Halifax, Shrewsbury, Danby, and a few more; and he told them, that having been invited over to restore their liberty, he had engaged in this enterprise, and had at last happily effected his purpose. That it belonged to the parliament, now chosen and assembled with freedom, to concert measures for the public settlement; and he pretended not to interpose in their determinations. That he heard of several schemes proposed for establishing the government: some insisted on a regent; others were desirous of bestowing the crown on the princess: it was their concern alone to choose the plan of administration most agreeable or advantageous to them. That if they judged it proper to settle a regent, he had no objection: he only thought it incumbent on him to inform them,

that he was determined not to be the regent, nor ever to engage in a scheme which, he knew, would be exposed to such insuperable difficulties. That no man could have a juster or deeper sense of the princess's merit than he was impressed with; but he would rather remain a private person than enjoy a crown which must depend on the will or life of another. And that they must therefore make account, if they were inclined, to either of these two plans of settlement, that it would be totally out of his power to assist them in carrying it into execution; his affairs abroad were too important to be abandoned for so precarious a dignity, or even to allow him so much leisure as would be requisite to introduce order into their disjointed government.

These views of the prince were seconded by the princess herself, who, as she possessed many virtues, was a most obsequious wife to a husband who, in the judgment of the generality of her sex, would have appeared so little attractive and amiable. All considerations were neglected, when they came in competition with what she deemed her duty to the prince. When Danby and others of her partisans wrote her an account of their schemes and proceedings, she expressed great displeasure; and even transmitted their letters to her husband, as a sacrifice to conjugal fidelity. The princess Anne also concurred in the same plan for the public settlement; and being promised an ample revenue, was content to be postponed in the succession to the crown. And as the title of her infant brother was, in the present establishment, entirely neglected, she might, on the whole, deem herself, in point of interest, a gainer by this revolution.

SETTLEMENT OF THE CROWN.

THE chief parties, therefore, being agreed, the convention passed a bill, in which they settled the crown on the prince and princess of Orange, the sole administration to remain in the prince: the princess of Denmark to succeed after the death of the prince and princess of Orange; her posterity after those of the princess, but before those of the prince by any other wife. The convention annexed to this settlement of the crown a declaration of rights, where all the points which had, of late years, been disputed between the king and people, were finally determined; and the powers of royal prerogative were more narrowly circumscribed and more exactly defined, than in any former period of the English government.

MANNERS, ARTS, AND SCIENCES.

THUS have we seen, through the whole course of four reigns, a continual struggle maintained between the crown and the people: privilege and prerogative were ever at variance: and both parties, beside the present object of dispute, had many latent claims, which, on a favourable occasion, they produced against their adversaries. Governments too steady and uniform, as they are seldom free, so are they, in the judgment of some, attended with another sensible inconvenience: they abate the active powers of men; depress courage, invention, and genius; and produce an universal lethargy in the people. Though this opinion may be just, the fluctuation and contest, it must be allowed, of the English government were, during these reigns, much too violent both for the repose and safety of the people. Foreign affairs, at that time, were either entirely neglected, or managed to pernicious purposes: and in the domestic administration there was felt a continued fever, either secret or manifest; sometimes the most furious convulsions and disorders. The revolution forms a new epoch in the constitution; and was probably attended with consequences more advantageous to the people, than barely freeing them from an exceptionable administration. By deciding many important questions in favour of liberty, and still more by that great precedent of deposing one king, and establishing a new family, it gave such an ascendancy to popular principles, as has put the nature of the English constitution beyond all controversy. And it may justly be affirmed, without any danger of exaggeration, that we, in this island, have ever since enjoyed, if not the best system of government, at least the most entire system of liberty, that ever was known amongst mankind.

To decry with such violence, as is affected by some, the whole line of Stuart; to maintain, that their administration was one continued encroachment on the *incontestable* rights of the people; is not giving due honour to that great event, which not only put a period to their hereditary succession, but made a new settlement of the whole constitution. The inconveniences suffered by the people under the two first reigns of that family (for in the main they were fortunate), proceeded in a great measure from the unavoidable situation of affairs; and scarcely any thing could have prevented those events, but such vigour of genius in the sovereign, attended with such good fortune, as might have enabled him entirely to overpower the liberties of his people. While the parliaments, in those reigns, were taking advantage of the necessities of the prince, and attempting every session to abolish, or circumscribe, or define, some prerogative of the crown, and innovate in the usual tenor of government;

what could be expected, but that the prince would exert himself in defending, against such inveterate enemies, an authority which, during the most regular course of the former English government, had been exercised without dispute or controversy? And though Charles II. in 1672, may with reason be deemed the aggressor, nor is it possible to justify his conduct; yet were there some motives, surely, which could engage a prince so soft and indolent, and at the same time so judicious, to attempt such hazardous enterprises. He felt that public affairs had reached a situation at which they could not possibly remain without some farther innovation. Frequent parliaments were become almost absolutely necessary to the conducting of public business; yet these assemblies were still, in the judgment of the royalists, much inferior in dignity to the sovereign, whom they seemed better calculated to counsel than controul. The crown still possessed considerable power of opposing parliaments; and had not as yet acquired the means of influencing them. Hence a continual jealousy between these parts of the legislature: hence the inclination mutually to take advantage of each other's necessities: hence the impossibility, under which the king lay, of finding ministers, who could at once be serviceable and faithful to him. If he followed his own choice in appointing his servants, without regard to their parliamentary interest, a refractory session was instantly to be expected: if he chose them from among the leaders of popular assemblies, they either lost their influence with the people, by adhering to the crown, or they betrayed the crown, in order to preserve their influence. Neither Hambden, whom Charles I. was willing to gain at any price; nor Shaftesbury, whom Charles II. after the popish plot, attempted to engage in his counsels, would renounce their popularity for the precarious, and, as they esteemed it, deceitful favour of the prince. The root of their authority they still thought to lie in the parliament; and as the power of that assembly was not yet uncontrollable, they still resolved to augment it, though at the expence of the royal prerogatives.

It is no wonder that these events have long, by the representations of faction, been extremely clouded and obscured. No man has yet arisen, who has paid an entire regard to truth, and has dared to expose her, without covering or disguise, to the eyes of the prejudiced public. Even that party amongst us, which boasts of the highest regard to liberty, has not possessed sufficient liberty of thought in this particular, nor has been able to decide impartially of their own merit, compared with that of their antagonists. More noble perhaps in their ends, and highly beneficial to mankind; they must also be allowed to have often been less justifiable in the means, and in many of their enterprises to have

paid more regard to political than to moral considerations. Obligated to court the favour of the populace, they found it necessary to comply with their rage and folly; and had even, on many occasions, by propagating calumnies, and by promoting violence, served to infatuate, as well as corrupt that people, to whom they made a tender of liberty and justice. Charles I. was a tyrant, a papist, and a contriver of the Irish massacre: the church of England was relapsing fast into idolatry: puritanism was the only true religion, and the covenant the favourite object of heavenly regard. Through these delusions, the party proceeded, and, what may seem wonderful, still to the increase of law and liberty; till they reached the imposture of the popish plot, a fiction which exceeds the ordinary bounds of vulgar credulity. But however singular these events may appear, there is really nothing altogether new in any period of modern history: and it is remarkable, that tribonian acts, though sometimes useful in a free constitution, have usually been such as men of probity and honour could not bring themselves either to practise or approve. The other faction, which, since the revolution, has been obliged to cultivate popularity, sometimes found it necessary to employ like artifices.

The whig party, for a course of near seventy years, has, almost without interruption, enjoyed the whole authority of government; and no honours or offices could be obtained but by their countenance and protection. But this event, which, in some particulars, has been advantageous to the state, has proved destructive to the truth of history, and has established many gross falsehoods, which it is unaccountable how any civilized nation could have embraced with regard to its domestic occurrences. Compositions the most despicable, both for style and matter, have been extolled, and propagated, and read; as if they had equalled the most celebrated remains of antiquity.⁹ And forgetting that a regard to liberty, though a laudable passion, ought commonly to be subordinate to a reverence for established government, the prevailing faction has celebrated only the partisans of the former, who pursued as their object the perfection of civil society, and has extolled them at the expence of their antagonists, who maintained those maxims that are essential to its very existence. But extremes of all kinds are to be avoided; and though no one will ever please either faction by moderate opinions, it is there we are most likely to meet with truth and certainty.

We shall subjoin to this general view of the English government, some account of the state of the finances, arms, trade, manners, arts, between the restoration and revolution.

The revenue of Charles II. as settled by the long parliament, was put upon a very bad footing. It was too small, if they intended to

make him independent in the common course of his administration: it was too large, and settled during too long a period, if they resolved to keep him in entire dependence. The great debts of the republic, which were thrown upon that prince; the necessity of supplying the naval and military stores, which were entirely exhausted;¹⁰ that of repairing and furnishing his palaces: all these causes involved the king in great difficulties immediately after his restoration; and the parliament was not sufficiently liberal in supplying him. Perhaps too he had contracted some debts abroad; and his bounty to the distressed cavaliers, though it did not correspond either to their services or expectations, could not fail, in some degree, to exhaust his treasury. The extraordinary sums granted the king during the first years, did not suffice for these extraordinary expences; and the excise and customs, the only constant revenue, amounted not to nine hundred thousand pounds a-year, and fell much short of the ordinary burdens of government. The addition of hearth money in 1662, and of other two branches in 1669 and 1670, brought up the revenue to one million three hundred and fifty-eight thousand pounds, as we learn from lord Danby's account: but the same authority informs us, that the yearly expence of government was at that time one million three hundred eighty-seven thousand seven hundred and seventy pounds;¹¹ without mentioning contingencies, which are always considerable, even under the most prudent administration. Those branches of revenue, granted in 1669 and 1670, expired in 1680, and were never renewed by parliament: they were computed to be above two hundred thousand pounds a-year. It must be allowed, because asserted by all contemporary authors of both parties, and even confessed by himself, that king Charles was somewhat profuse and negligent. But it is likewise certain, that a very rigid frugality was requisite to support the government under such difficulties. It is a familiar rule in all business, that every man should be paid in proportion to the trust reposed in him, and to the power which he enjoys; and the nation soon found reason, from Charles's dangerous connexions with France, to repent their departure from that prudential maxim. Indeed, could the parliaments in the reign of Charles I. have been induced to relinquish so far their old habits, as to grant that prince the same revenue which was voted to his successor, or had those in the reign of Charles II. conferred on him as large a revenue as was enjoyed by his brother, all the disorders in both reigns might easily have been prevented, and probably all reasonable concessions to liberty might peaceably have been obtained from both monarchs. But these assemblies, unacquainted with public business, and often actuated by

faction and fanaticism, could never be made sensible, but too late and by fatal experience, of the incessant change of times and situations. The French ambassador informs his court, that Charles was very well satisfied with his share of power, could the parliament have been induced to make him tolerably easy in his revenue.¹²

If we estimate the ordinary revenue of Charles II. at one million two hundred thousand pounds a-year during his whole reign, the whole computation will rather exceed than fall below the true value. The convention-parliament, after all the sums which they had granted the king towards the payment of old debts, threw, the last day of their meeting, a debt upon him amounting to one million seven hundred forty-three thousand two hundred and sixty-three pounds.¹³ All the extraordinary sums which were afterwards voted him by parliament, amounted to eleven millions four hundred forty-three thousand four hundred and seven pounds; which, divided by twenty-four, the number of years which that king reigned, make four hundred seventy-six thousand eight hundred and eight pounds a-year. During that time, he had two violent wars to sustain with the Dutch; and in 1678, he made expensive preparations for a war with France. In the first Dutch war, both France and Denmark were allies to the United Provinces, and the naval armaments in England were very great: so that it is impossible he could have secreted any part, at least any considerable part, of the sums which were then voted him by parliament.

To these sums we must add about one million two hundred thousand pounds, which had been detained from the bankers on shutting up the Exchequer in 1672. The king paid six per cent. for this money during the rest of his reign.¹⁴ It is remarkable, that notwithstanding this violent breach of faith, the king, two years after, borrowed money at eight per cent: the same rate of interest which he had paid before that event.¹⁵ A proof that public credit, instead of being of so delicate a nature as we are apt to imagine, is, in reality, so hardy and robust, that it is very difficult to destroy it.

The revenue of James was raised by the parliament to about one million eight hundred and fifty thousand pounds;¹⁶ and his income, as duke of York, being added, made the whole amount to two millions a year; a sum well proportioned to the public necessities, but enjoyed by him in too independent a manner. The national debt at the revolution amounted to one million fifty-four thousand nine hundred and twenty-five pounds.¹⁷

The militia fell much to decay during these two reigns, partly by the policy of the kings, who had entertained a diffidence of their subjects, partly by that ill-judged law which

limited the king's power of mustering and arraying them. In the beginning, however, of Charles's reign, the militia was still deemed formidable. De Wit having proposed to the French king an invasion of England during the first Dutch war, that monarch replied, that such an attempt would be entirely fruitless, and would tend only to unite the English. In a few days, said he, after our landing, there will be fifty thousand men at least upon us.¹⁸

Charles, in the beginning of his reign, had in pay near five thousand men, of guards and garrisons. At the end of his reign he augmented this number to near eight thousand. James, on Monmouth's rebellion, had on foot about fifteen thousand men; and when the prince of Orange invaded him, there were no fewer than thirty thousand regular troops in England.

The English navy, during the greater part of Charles's reign, made a considerable figure, for number of ships, valour of the men, and conduct of the commanders. Even in 1678, the fleet consisted of eighty-three ships;¹⁹ besides thirty, which were at that time on the stocks. On the king's restoration he found only sixty-three vessels of all sizes.²⁰ During the latter part of Charles's reign, the navy fell somewhat to decay, by reason of the narrowness of the king's revenue: but James, soon after his accession, restored it to its former power and glory; and before he left the throne carried it much farther. The administration of the admiralty under Pepsy, is still regarded as a model for order and economy. The fleet at the revolution consisted of one hundred seventy-three vessels of all sizes; and required forty-two thousand seamen to man it.²¹ That king, when duke of York, had been the first inventor of sea-signals. The military genius, during these two reigns, had not totally decayed among the young nobility. Dorset, Mulgrave, Rochester, not to mention Ossory, served on board the fleet, and were present in the most furious engagements against the Dutch.

The commerce and riches of England did never, during any period, increase so fast as from the restoration to the revolution. The two Dutch wars, by disturbing the trade of that republic, promoted the navigation of this island; and after Charles had made a separate peace with the States, his subjects enjoyed, unmolested, the trade of Europe. The only disturbance which they met with, was from a few French privateers who infested the channel; and Charles interposed not in behalf of his subjects with sufficient spirit and vigour. The recovery or conquest of New York and the Jerseys was a considerable accession to the strength and security of the English colonies; and, together with the settlement of Pennsylvania and Carolina, which was effected during that reign, extended the English empire in

America. The persecutions of the dissenters, or, more properly speaking, the restraints imposed upon them, contributed to augment and people these colonies. Dr. Davenant affirms,²² that the shipping of England more than doubled during these twenty-eight years. Several new manufactures were established; in iron, brass, silk, hats, glass, paper, &c. One Brewer, leaving the Low Countries, when they were threatened with a French conquest, brought the art of dying woollen cloth into England, and by that improvement saved the nation great sums of money. The increase of coinage during these two reigns was ten millions two hundred sixty-one thousand pounds. A board of trade was erected in 1670; and the earl of Sandwich was made president. Charles revived and supported the charter of the East-India company, a measure whose utility is by some thought doubtful: he granted a charter to the Hudson's Bay company; a measure probably hurtful.

We learn from sir Josiah Child,²³ that in 1688 there were on the 'Change more men worth ten thousand pounds than there were in 1650 worth a thousand; that five hundred pounds with a daughter was, in the latter period, deemed a larger portion than two thousand in the former; that gentlewomen, in those earlier times, thought themselves well clothed in a serge gown, which a chambermaid would, in 1688, be ashamed to be seen in; and that, besides the great increase of rich clothes, plate, jewels, and household furniture, coaches were in that time augmented a hundred fold.

The duke of Buckingham introduced from Venice the manufacture of glass and crystal into England. Prince Rupert was also an encourager of useful arts and manufactures: he himself was the inventor of etching.

The first law for erecting turnpikes was passed in 1662: the places of the turnpikes were Wadesmill, Caxton, and Stilton: but the general and great improvement of highways took not place till the reign of George II.

In 1663, was passed the first law for allowing the exportation of foreign coin and bullion.

In 1667 was concluded the first American treaty between England and Spain: this treaty was made more general and complete in 1670. The two states then renounced all right of trading with each other's colonies; and the title of England was acknowledged to all the territories in America, of which she was then possessed.

The French king, about the beginning of Charles's reign, laid some impositions on English commodities: and the English, partly displeased with this innovation, partly moved by their animosity against France, retaliated, by laying such restraints on the commerce with that kingdom as amounted almost to a prohibition. They formed calculations, by which

they persuaded themselves that they were losers a million and a half, or near two millions a-year, by the French trade. But no good effects were found to result from these restraints; and in king James's reign they were taken off by parliament.

Lord Clarendon tells us, that, in 1665, when money, in consequence of a treaty, was to be remitted to the bishop of Munster, it was found, that the whole trade of England could not supply above a thousand pounds a-month to Frankfort and Cologne, nor above twenty thousand pounds a-month to Hamburgh: these sums appear surprisingly small.²⁴

At the same time that the boroughs of England were deprived of their privileges, a like attempt was made on the colonies. King James recalled the charters, by which their liberties were secured; and he sent over governors invested with absolute power. The arbitrary principles of that monarch appear in every part of his administration.

The people during these two reigns, were, in a great measure, cured of that wild fanaticism, by which they had formerly been so much agitated. Whatever new vices they might acquire, it may be questioned, whether, by this change, they were, in the main, much losers in point of morals. By the example of Charles II. and the cavaliers, licentiousness and debauchery became prevalent in the nation. The pleasures of the table were much pursued. Love was treated more as an appetite than a passion. The one sex began to abate of the national character of elasticity, without being able to inspire the other with sentiment or delicacy.

The abuses in the former age, arising from over-strained pretensions to piety, had much propagated the spirit of irreligion; and many of the ingenious men of this period lie under the imputation of deism. Besides wits and scholars by profession, Shaftesbury, Halifax, Buckingham, Mulgrave, Sunderland, Essex, Rochester, Sidney, Temple, are supposed to have adopted these principles.

The same fictions which formerly distracted the nation, were revived, and exerted themselves in the most ungenerous and unmanly enterprises against each other. King Charles being in his whole deportment a model of easy and gentleman-like behaviour, improved the politeness of the nation; as much as faction, which of all things is most destructive to that virtue, could possibly permit. His courtiers were long distinguishable in England by their obliging and agreeable manners.

Till the revolution, the liberty of the press was very imperfectly enjoyed in England, and during a very short period. The star-chamber, while that court subsisted, put effectual restraints upon printing. On the suppression of that tribunal in 1641, the long parliament,

after their rupture with the king, assumed the same power with regard to the licensing of books; and this authority was continued during all the period of the republic and protectorship.²⁵ Two years after the restoration, an act was past reviving the republican ordinances. This act expired in 1679; but was revived in the first of king James. The liberty of the press did not even commence with the revolution. It was not till 1694 that the restraints were taken off; to the great displeasure of the king and his ministers, who, seeing no where, in any government, during present or past ages, any example of such unlimited freedom, doubted much of its salutary effects, and probably thought, that no books or writings would ever so much improve the general understanding of men, as to render it safe to intrust them with an indulgence so easily abused.

In 1677, the old law for burning heretics was repealed; a prudent measure, while the nation was in continual dread of the return of popery.

Amidst the thick cloud of bigotry and ignorance which overspread the nation, during the common-wealth and protectorship, there were a few sedate philosophers, who, in the retirement of Oxford, cultivated their reason, and established conferences for the mutual communication of their discoveries in physics and geometry. Wilkins, a clergyman, who had married Cromwel's sister, and was afterwards bishop of Chester, promoted these philosophical conversations. Immediately after the restoration, these men procured a patent, and having enlarged their number, were denominated the *Royal Society*. But this patent was all they obtained from the king. Though Charles was a lover of the sciences, particularly chemistry and mechanics; he animated them by his example alone, not by his bounty. His cravering courtiers and mistresses, by whom he was perpetually surrounded, engrossed all his expence, and left him neither money nor attention for literary merit. His contemporary, Lewis, who fell short of the king's genius and knowledge in this particular, much exceeded him in liberality. Besides pensions conferred on learned men throughout all Europe, his academies were directed by rules, and supported by salaries: a generosity which does great honour to his memory; and, in the eyes of all the ingenious part of mankind, will be esteemed an atonement for many of the errors of his reign. We may be surprised, that this example should not be more followed by princes; since it is certain that that bounty, so extensive, so beneficial, and so much celebrated, cost not this monarch so great a sum as is often conferred on one useless overgrown favourite or courtier.

But though the French academy of sciences

was directed, encouraged, and supported by the sovereign, there arose in England some men of superior genius who were more than sufficient to cast the balance, and who drew on themselves and on their native country the regard and attention of Europe. Besides Wilkins, Wren, Wallis, eminent mathematicians; Hooke, an accurate observer by microscopes; and Sydenham, the restorer of true physic; there flourished during this period a Boyle and a Newton; men who trod with cautious, and therefore the more secure steps, the only road which leads to true philosophy.

Boyle improved on the pneumatic engine invented by Otto Guericke, and was thereby enabled to make several new and curious experiments on the air, as well as on other bodies: his chemistry is much admired by those who are acquainted with that art: his hydrostatics contain a greater mixture of reasoning and invention with experiment than any other of his works; but his reasoning is still remote from that boldness and temerity which had led astray so many philosophers. Boyle was a great partisan of the mechanical philosophy; a theory which, by discovering some of the secrets of nature, and allowing us to imagine the rest, is so agreeable to the natural vanity and curiosity of man. He died in 1691, aged 65.

In Newton this island may boast of having produced the greatest and rarest genius that ever rose for the ornament and instruction of the species. Cautious in admitting no principles but such as were founded on experiment; but resolute to adopt every such principle, however new or unusual: from modesty, ignorant of his superiority above the rest of mankind; and thence, less careful to accommodate his reasonings to common apprehensions: more anxious to merit than acquire fame: he was, from these causes, long unknown to the world; but his reputation at last broke out with a lustre, which scarcely any writer, during his own lifetime, had ever before attained. While Newton seemed to draw off the veil from some of the mysteries of nature, he showed at the same time the imperfections of the mechanical philosophy; and thereby restored her ultimate secrets to that obscurity in which they ever did and ever will remain. He died in 1727, aged 85.

This age was far from being so favourable to polite literature as to the sciences. Charles, though fond of wit, though possessed himself of a considerable share of it, though his taste in conversation seems to have been sound and just, served rather to corrupt than improve the poetry and eloquence of his time. When the theatres were opened at the restoration, and freedom was again given to pleasantry and ingenuity; men, after so long an abstinence, fed on these delicacies with less taste than avidity, and the coarsest and most irregular species of wit was received by the court as

well as by the people. The productions represented at that time on the stage, were such monsters of extravagance and folly; so utterly destitute of all reason or even common sense; that they would be the disgrace of English literature, had not the nation made atonement for its former admiration of them, by the total oblivion to which they are now condemned. The duke of Buckingham's *Rehearsal*, which exposed these wild productions, seems to be a piece of ridicule carried to excess; yet in reality the copy scarcely equals some of the absurdities which we meet with in the originals.²⁶

This severe satire, together with the good sense of the nation, corrected, after some time, the extravagancies of the fashionable wit; but the productions of literature still wanted much of that correctness and delicacy which we so much admire in the ancients, and in the French writers, their judicious imitators. It was indeed, during this period chiefly, that that passion left the English behind them in the productions of poetry, eloquence, history, and other branches of polite letters; and acquired a superiority, which the efforts of English writers during the subsequent age, did more successfully contest with them. The arts and sciences were imported from Italy into this island as early as into France; and made at first more sensible advances. Spenser, Shakespeare, Bacon, Jonson, were superior to their contemporaries, who flourished in that kingdom. Milton, Waller, Denham, Cowley, Harvey, were at least equal to their contemporaries. The reign of Charles II. which some preposterously represent as our Augustan age, retarded the progress of polite literature in this island; and it was then found, that the immeasurable licentiousness, indulged or rather applauded at court, was more destructive to the refined arts, than even the want of sense, and enthusiasm of the preceding period.

Most of the celebrated writers of this age remain monuments of genius, perverted by indecency and bad taste; and none more than Dryden, both by reason of the greatness of his talents, and the gross abuse which he made of them. His plays, excepting a few scenes, are utterly disfigured by vice or folly, or both. His translations appear too much the offspring of haste and hunger: even his fables are ill-chosen tales, conveyed in an incorrect, though spirited versification. Yet, amidst this great number of loose productions, the refuse of our language, there are found some small pieces, his *Ode to St. Cecilia*, the greater part of *Abraham and Achitophel*, and a few more, which discover so great genius, such richness of expression, such pomp and variety of numbers, that they leave us equally full of regret and indignation, on account of the inferiority, or rather great absurdity of his other writings. He died in 1701, aged 69.

The very name of Rochester is offensive to modest ears; yet does his poetry discover such energy of style and such poignancy of satire, as give ground to imagine what so fine a genius, had he fallen in a more happy age, and had followed better models, was capable of producing. The ancient satirists often used great liberties in their expressions; but their freedom no more resembles the licentiousness of Rochester, than the nakedness of an Indian does that of a common prostitute.

Wycherley, was ambitious of the reputation of wit and libertinism; and he attained it: he was probably capable of reaching the false of true comedy, and instructive ridicule. Otway had a genius finely turned to the pathetic; but he neither observes strictly, the rules of the drama, nor the rules, still more essential, of propriety and decorum. By one single piece, the duke of Buckingham did both great service to his age, and honour to himself. The earls of Mulgrave, Dorset, and Roscommon, wrote in a good taste, but their productions are either feeble or careless. The marquis of Halifax discovers a refined genius; and nothing but leisure and an inferior station seems wanting to have procured him eminence in literature.

Of all the considerable writers of this age, sir William Temple is almost the only one that kept himself altogether unpolluted by that inundation of vice and licentiousness which overwhelmed the nation. The style of this author, though extremely negligent, and even infected with foreign idioms, is agreeable and interesting. That mixture of vanity which appears in his works is rather a recommendation to them. By means of it, we enter into acquaintance with the character of the author, full of honour and humanity; and fancy that we are engaged, not in the perusal of a book, but in conversation with a companion. He died in 1698, aged 70.

Though *Hudibras* was published, and pro-

bably composed, during the reign of Charles II. Butler may justly, as well as Milton, be thought to belong to the foregoing period. No composition abounds so much as *Hudibras* in strokes of just and inimitable wit; yet there are many performances which give as great or greater entertainment on the whole perusal. The allusions in Butler are often dark and far-fetched; and though scarcely any author was ever able to express his thoughts in so few words, he often employs too many thoughts on one subject, and thereby becomes prolix after an unusual manner. It is surprising how much erudition Butler has introduced with so good a grace into a work of pleasantry and humour: *Hudibras* is perhaps one of the most learned compositions that is to be found in any language. The advantage which the royal cause received from this poem, in exposing the fanaticism and false pretensions of the former parliamentary party, was prodigious. The king himself had so good a taste, as to be highly pleased with the merit of the work, and had even got a great part of it by heart: yet was he either so careless in his temper, or so little endowed with the virtue of liberality, or, more properly speaking, of gratitude, that he allowed the author, a man of virtue and probity, to live in obscurity, and die in want.²⁷ Dryden is an instance of a negligence of the same kind. His Absalom sensibly contributed to the victory which the Tories obtained over the Whigs, after the exclusion of parliaments: yet could not this merit, aided by his great genius, procure him an establishment which might exempt him from the necessity of writing for bread. Otway, though a professed royalist, could not even procure bread by his writings; and he had the singular fate of dying literally of hunger. These incidents throw a great stain on the memory of Charles, who had discernment, loved genius, was liberal of money, but attained not the praise of true generosity.

NOTES.

1 Burnet, vol. i. p. 711. D'Avaux, 14th of April, 1688.

2 D'Avaux, 24th of July, 1691; 10th of June, 11th of October, 11th of November, 1688, vol. iv. p. 30.

3 D'Avaux, 21st of January, 1687.

4 Burnet.

5 D'Avaux, 14th and 24th of September,

6 D'Avaux was of that opinion.

7 See his negotiations, 27th of September, 29th of November, 1688. On the whole, that opinion is the most probable.

8 That there really was no new alliance formed between France and England appears both from D'Avaux's negotiations, and from D'Avaux's negotiations, lately published: see vol. iv. p. 18. Eng.

translations, 27th of Sept. 1687, 10th of March, 6th of May, 10th of Aug. 2d 23d, and 24th of Sept. 10th and 7th of Oct. 11th of Nov. 1688.

9 His grandfather, the first duke of Ormond, had died this year, on the 21st of July.

10 Such as Rapin Thoyras, Locke, Sidney, Houdlev, &c.

11 Lord Clarendon's speech to the parliament, vol. i. p. 288. We learn from that lord's Memoirs, p. 19, that the receipts of the Exchequer,

were about eight millions two hundred thousand pounds, or one million three hundred sixty six thousand pounds a year. See likewise, p. 109.

12 Dalrymple's Appendix, p. 149.

13 Journals, 29th of December, 1670.

14 Danby's Memoirs, p. 7.

15 Danby's Memoirs, p. 68.

16 Journals, 1st of March, 1680.

17 Journals, 20th of March, 1680.

18 D'Avaux, 20th of October, 1660.

19 Pepys's Memoirs, p. 4.

20 Memoirs of English Affairs, chief

anal.

21 Lives of the Admirals, vol. ii. p. 476.

22 Discourse on the Public Revenue.

23 Brief Observations, &c.

24 Life of Clarendon, p. 297.

25 Neobell, i. 31, 134 n. 88 280.

26 The duke of Buckingham died 16th of April, 1688.

27 Butler died in 1680, aged 69.

NOTES

THE SECOND VOLUME.

Note A, p. 7.

BY Murden's state papers, published after the writing of this history, it appears, that an agreement had been made between Elizabeth and the regent for the delivering up of Mary to him. The queen afterwards sent down Killigrew to the earl of Marre when regent, offering to put Mary into his hands. Killigrew was instructed to take good security from the regent, that the queen should be tried for her crimes, and that the sentence should be executed upon her. It appears that Marre rejected the offer, because we hear no more of it.

*Note B, *ibid.**

SIR JAMES MELVIL, p. 108, 109, ascribes to Elizabeth a positive design of animating the Scotch factions against each other; but his evidence is too inconsiderable to counter-balance many other authorities, and is, indeed, contrary to her subsequent conduct, as well as her interest, and the necessity of her situation. It was plainly her interest that the king's party should prevail, and nothing could have engaged her to stop their progress, or even forbear openly assisting them, but her intention of still amusing the queen of Scots, by the hopes of being peaceably restored to her throne. See farther, Strype, vol. ii. Appendix. p. 20.

Note C, p. 33.

THAT the queen's negotiations for marrying the duke of Anjou were not feigned nor political, appears clearly from many circumstances; particularly from a passage in Dr. Forbes's manuscript collections, at present in the possession of lord Royston. She there enjoins Walsingham, before he opens the treaty, to examine the person of the duke; and as that prince had lately recovered from the small-pox, she desires her ambassador to consider, whether he yet retained so much of his good looks, as that a woman could fix her affections on him. Had she not been in earnest, and had she only meant to amuse the public, or the court of France, this circumstance was of no moment.

Note D, p. 40.

D'EWEES, p. 328. The puritanical sect had indeed gone so far, that a book of discipline was secretly subscribed by above five hundred clergymen; and the presbyterian government thereby established in the midst of the church, notwithstanding the rigour of the prelates and of the high commission. So impossible is it by penal statutes, however severe, to suppress all religious innovation. See Neal's Hist. of the Puritans, vol. i. p. 483. Strype's Life of Whitgift, p. 291.

Note E, p. 41.

THIS year the earl of Northumberland, brother to the earl beheaded some years before, had been engaged in a conspiracy with lord Paget for the deliverance of the queen of Scots. He was thrown into the Tower; and being conscious that his guilt could be proved upon him, at least that sentence would infallibly be pronounced against him, he freed himself from farther prosecution by a voluntary death. He shot himself in the breast with a pistol. About the same time the earl of Arundel, son of the unfortunate duke of Norfolk, having entered into some exceptionable measures, reflecting on the unhappy fate which had attended his family, endeavoured to depart secretly beyond sea, but was discovered and thrown into the Tower. In 1587, this nobleman was brought to his trial for high treason; chiefly because he had dropped some expressions of affection to the Spaniards, and had affirmed that he would have masses said for the success of the Armada. His peers found him guilty of treason: this severe sentence was not executed; but Arundel never recovered his liberty. He died a prisoner in 1595. He carried his religious austerities so far, that they were believed the immediate cause of his death.

Note F, p. 47.

MARY's extreme animosity against Elizabeth may easily be conceived, and it broke out about this time in an incident which may appear curious. While the former queen was kept in custody by the earl of Shrewsbury, she lived

during a long time in great intimacy with the countess; but that lady entertaining a jealousy of an amour between her and the earl, their friendship was converted into enmity; and Mary took a method of revenge, which at once gratified her spite against the countess and that against Elizabeth. She wrote to the queen, informing her of all the malicious scandalous stories which, she said, the countess of Shrewsbury had reported of her: that Elizabeth had given a promise of marriage to a certain person, whom she afterwards often admitted to her bed: that she had been equally indulgent to Simier the French agent, and to the duke of Anjou: that Hatton was also one of her paramours, who was even disgusted with her excessive love and fondness: that though she was, on other occasions, avaricious to the last degree, as well as ungrateful, and kind to very few, she spared no expence in gratifying her amorous passions: that notwithstanding her licentious amours, she was not made like other women; and all those who courted her marriage would in the end be disappointed: that she was so conceited of her beauty, as to swallow the most extravagant flattery from her courtiers, who could not, on these occasions, forbear even sneering at her for her folly: that it was usual for them to tell her, that the lustre of her beauty dazzled them like that of the sun, and they could not behold it with a fixed eye: she added, that the countess had said, that Mary's best policy would be to engage her son to make love to the queen; nor was there any danger that such a proposal would be taken for mockery; so ridiculous was the opinion which she had entertained of her own charms. She pretended that the countess had represented her as no less odious in her temper than a profligate in her manners, and absurd in her vanity: that she had so beaten a young woman of the name of Scudamore, as to break that lady's finger; and in order to cover over the matter, it was pretended that the accident had proceeded from the fall of a candlestick: that she had cut another across the hand with a knife, who had been so unfortunate as to offend her. Mary added, that the countess had informed her, that Elizabeth had suborned Rolstone to pretend friendship to her, in order to debauch her, and thereby throw infamy on her rival. See Murden's State Papers, p. 558.—This imprudent and malicious letter was written a very little before the detection of Mary's conspiracy; and contributed, no doubt, to render the proceedings against her the more rigorous.—How far all these imputations against Elizabeth can be credited may perhaps appear doubtful: but her extreme fondness for Leicester, Hatton, and Essex, not to mention Mountjoy and others, with the curious passages between her and admiral Seymour, contained in Haynes, render her

chastity very much to be suspected. Her self-conceit with regard to beauty, we know from other undoubted authority to have been extravagant. Even when she was a very old woman, she allowed her courtiers to flatter her with regard to her *excellent beauties* Birch, vol. ii. p. 442, 443.—Her passionate temper may also be proved from many lively instances; and it was not unusual with her to beat her maids of honour. See the Sidney Papers, vol. ii. p. 38.—The blow she gave to Essex before the privy-council is another instance. There remains in the Museum a letter of the earl of Huntingdon's, in which he complains grievously of the queen's pinching his wife very sorely, on account of some quarrel between them. Had this princess been born in a private station, she would not have been very amiable: but her absolute authority, at the same time that it gave an uncontrollable swing to her violent passions, enabled her to compensate her infirmities by many great and signal virtues.

Note G, p. 51.

CAMDEN, p. 525. This evidence was that of Curle, her secretary, whom she allowed to be a very honest man; and who, as well as Nau, had given proofs of his integrity, by keeping so long such important secrets, from whose discovery he could have reaped the greatest profit. Mary, after all, thought that she had so little reason to complain of Curle's evidence, that she took care to have him paid a considerable sum by her will, which she wrote the day before her death. Goodall, vol. i. p. 413.—Neither did she forget Nau, though less satisfied in other respects with his conduct. Id. *ibid.*

Note H, ibid.

THE detail of this conspiracy is to be found in a letter of the queen of Scots to Charles Paget, her great confidant. This letter is dated the 20th of May 1586, and is contained in Dr. Forbes's manuscript collections, at present in the possession of lord Royston. It is a copy attested by Curle, Mary's secretary, and indorsed by lord Burleigh. What proves its authenticity beyond question is, that we find in Murden's collection, p. 516, that Mary actually wrote that very day a letter to Charles Paget: and farther she mentions in the manuscript letter, a letter of Charles Paget's of the 10th of April: now we find by Murden, p. 506, that Charles Paget did actually write her a letter of that date.

This violence of spirit is very consistent with Mary's character. Her maternal affection was too weak to oppose the gratification of her passions, particularly her pride, her ambition, and her bigotry. Her son, having made some

fruitless attempts to associate her with him in the title, and having found the scheme impracticable, on account of the prejudices of his protestant subjects, at last desisted from that design, and entered into an alliance with England, without comprehending his mother. She was in such a rage at this undutiful behaviour, as she imagined it, that she wrote to queen Elizabeth, that she no longer cared what became of him or herself in the world; the greatest satisfaction she could have before her death was, to see him and all his adherents become a signal example of tyranny, ingratitude, and impiety, and undergo the vengeance of God for their wickedness. She would find in Christendom other heirs, and doubted not to put her inheritance in such hands as would retain the firmest hold of it. She cared not, after taking this revenge, what became of her body; the quickest death would then be the most agreeable to her. And she assured her that, if he persevered, she would disown him for her son, and would give him her malediction, would disinherit him, as well of his present possessions as of all he could expect by her; abandoning him not only to her subjects to treat him as they had done her, but to all strangers to subdue and conquer him. It was in vain to employ menaces against her: the fear of death or other misfortune would never induce her to make one step, or pronounce one syllable beyond what she had determined: she would rather perish with honour, in maintaining the dignity to which God had raised her, than degrade herself by the least pusillanimity, or act what was unworthy of her station and of her race. Murden, p. 566, 567.

James said to Courcelles, the French ambassador, that he had seen a letter under her own hand, in which she threatened to disinherit him, and said that he might betake him to the lordship of Darnley; for that was all he had by his father. *Courcelles' Letter*, a MS. of Dr. Campbell's. There is in Jebb, vol. ii. p. 573, a letter of her's, where she throws out the same menace against him.

We find this scheme of seizing the king of Scots, and delivering him into the hands of the pope or the king of Spain, proposed by Morgan to Mary. See Murden, p. 525.—A mother must be very violent to whom one would dare to make such a proposal: but it seems she assented to it. Was not such a woman very capable of murdering her husband, who had so grievously offended her?

Note I, p. 52.

THE volume of State Papers, collected by Murden, prove beyond controversy, that Mary was long in close correspondence with Babington, p. 513. 516. 532, 533. She entertained a like correspondence with Ballard, Morgan,

and Charles Paget, and laid a scheme with them for an insurrection, and for the invasion of England by Spain, p. 528. 531. The same papers show, that there had been a discontinuance of Babington's correspondence, agreeably to Camden's narration. See State Papers p. 513, where Morgan recommends it to queen Mary to renew her correspondence with Babington. These circumstances prove, that no weight can be laid on Mary's denial of guilt, and that her correspondence with Babington contained particulars which could not be avowed.

Note K, ibid.

THERE are three suppositions by which the letter to Babington may be accounted for without allowing Mary's concurrence in the conspiracy for assassinating Elizabeth. The first is, that which she seems herself to have embraced, that her secretaries had received Babington's letter, and had, without any treacherous intention, ventured of themselves to answer it, and had never communicated the matter to her: but it is utterly improbable, if not impossible, that a princess of so much sense and spirit should, in an affair of that importance, be so treated by her servants who lived in the house with her, and who had every moment an opportunity of communicating the secret to her. If the conspiracy failed, they must expect to suffer the severest punishment from the court of England; if it succeeded, the lightest punishment which they could hope for from their own mistress, must be disgrace on account of their temerity. Not to mention, that Mary's concurrence was in some degree requisite for effecting the design of her escape; it was proper to attack her guards while she was employed in hunting: she must therefore concert the time and place with the conspirators. The second supposition is, that these two secretaries were previously traitors; and being gained by Walsingham, had made such a reply in their mistress's cipher as might involve her in the guilt of the conspiracy. But these two men had lived long with the queen of Scots, had been entirely trusted by her, and had never fallen under suspicion either with her or her partisans. Camden informs us, that Curle afterwards claimed a reward from Walsingham on pretence of some promise; but Walsingham told him that he owed him no reward, and that he had made no discoveries on his examination, which were not known with certainty from other quarters. The third supposition is, that neither the queen nor the two secretaries, Nau and Curle, ever saw Babington's letter, or made any answer; but that Walsingham having deciphered the former forged a reply. But this supposition implies

the falsehood of the whole story, told by Camden, of Gifford's access to the queen of Scots' family, and Paulet's refusal to concur in allowing her servants to be bribed. Not to mention, that as Nau's and Curle's evidence must, on this supposition, have been extorted by violence and terror, they would necessarily have been engaged, for their own justification, to have told the truth afterwards; especially upon the accession of James. But Camden informs us, that Nau, even after that event, persisted still in his testimony.

We must also consider, that the two last suppositions imply such a monstrous criminal conduct in Walsingham, and consequently in Elizabeth (for the matter could be no secret to her), as exceeds all credibility. If we consider the situation of things, and the prejudices of the times, Mary's consent to Babington's conspiracy appears much more natural and probable. She believed Elizabeth to be an usurper and a heretic: she regarded her as a personal and a violent enemy: she knew that schemes for assassinating heretics "were very familiar in that age, and generally approved of by the court of Rome and the zealous catholics: her own liberty and sovereignty were connected with the success of this enterprise: and it cannot appear strange, that where men, of so much merit as Babington, could be engaged by bigotry alone, in so criminal an enterprise, Mary, who was actuated by the same motive, joined to so many others, should have given her consent to a scheme projected by her friends. We may be previously certain, that if such a scheme was ever communicated to her, with any probability of success, she would assent to it: and it served the purpose of Walsingham and the English ministry to facilitate the communication of these schemes, as soon as they had gotten all expedient for intercepting her answer, and detecting the conspiracy. Now Walsingham's knowledge of the matter is a supposition necessary to account for the letter delivered to Babington.

As to the not punishing of Nau and Curle by Elizabeth, it never is the practice to punish lesser criminals, who had given evidence against the principal.

But what ought to induce us to reject these three suppositions is, that they must all of them be considered as bare possibilities: the partisans of Mary can give no reason for preferring one to the other: not the slightest evidence ever appeared to support any one of them: neither at that time, nor at any time afterwards, was any reason discovered, by the numerous zealots at home and abroad, who had embraced Mary's defence, to lead us to the belief of any of these three suppositions; and even her apologists at present seem not to have fixed on any choice among these sup-

posed possibilities. The positive proof of two very credible witnesses, supported by the other very strong circumstances, still remains unimpeached. Babington, who had an extreme interest to have communication with the queen of Scots, believed he had found a means of correspondence with her, and had received an answer from her: he, as well as the other conspirators, died in that belief: there has not occurred, since that time, the least argument to prove that they were mistaken: can there be any reason at present to doubt the truth of their opinion? Camden, though a profest apologist for Mary, is constrained to tell the story in such a manner as evidently supposes her guilt. Such was the impossibility of finding any other consistent account, even by a man of parts who was a contemporary!

In this light might the question have appeared even during Mary's trial. But what now puts her guilt beyond all controversy is the following passage of her letter to Thomas Morgan, dated the 27th of July, 1586. "As to Babington, he hath both kindly and honestly offered himself and all his means to be employed any way I would: whereupon I hope to have satisfied him by two of my several letters since I had him; and the rather, for that I opened him the way, whereby I received his with your aforesaid." Murden, p. 533.—Babington confessed, that he had offered her to assassinate the queen. It appears by this that she had accepted the offer: so that all the suppositions of Walsingham's forgery, or the temerity or treachery of her secretaries, fall to the ground.

Note L, p. 53.

THIS parliament granted the queen a supply of a subsidy and two fifteenths. They adjourned, and met again after the execution of the queen of Scots; when they passed some remarkable incidents, which it may be proper not to omit. We shall give them in the words of sir Simon D'Ewes, p. 410, 411, which are almost wholly transcribed from Townshend's Journal. On Monday the 27th of February, Mr. Cope, first using some speeches touching the necessity of a learned ministry, and the amendment of things amiss in the ecclesiastical estate, offered to the house a bill and a book, written; the bill containing a petition that it might be enacted, that all laws now in force touching ecclesiastical government should be void: and that it might be enacted, that that book of common prayer now offered, and none other, might be received into the church to be used. The book contained the form of prayer and administration of the sacraments, with divers rites and ceremonies to be used in the church; and he desired that the book might be read. Whereupon Mr. Speaker in

effect used this speech: for that her majesty before this time had commanded the house not to meddle with this matter, and that her majesty had promised to take order in those causes, he doubted not but to the good satisfaction of all her people, he desired that it would please them to spare the reading of it. Notwithstanding the house desired the reading of it. Whereupon Mr. Speaker desired the clerk to read. And the court being ready to read it, Mr. Dalton made a motion against the reading of it: saying, that it was not meet to be read, and it did appoint a new form of administration of the sacraments and ceremonies of the church, to the discredit of the book of common prayer, and of the whole state; and thought that this dealing would bring her majesty's indignation against the house, thus to enterprise this dealing with those things which her majesty especially had taken into her own charge and direction. Whereupon Mr. Lewkenor spake, showing the necessity of preaching and of a learned ministry, and thought it very fit that the petition and book should be read. To this purpose spake Mr. Hurleston and Mr. Bainbrigg; and so, the time being passed, the house broke up, and neither the petition nor book read. This done, her majesty sent to Mr. Speaker, as well for this petition and book, as for that other petition and book for the like effect, that was delivered the last session of parliament, which Mr. Speaker sent to her majesty. On Tuesday the 28th of February, her majesty sent for Mr. Speaker, by occasion whereof the house did not sit. On Wednesday the first of March, Mr. Wentworth delivered to Mr. Speaker certain articles, which contained questions touching the liberties of the house, and to some of which he was to answer, and desired they might be read. Mr. Speaker desired him to spare his motion, until her majesty's pleasure was further known touching the petition and book lately delivered into the house; but Mr. Wentworth would not be so satisfied, but required his articles might be read. Mr. Wentworth introduced his queries by lamenting, that he as well as many others were deterred from speaking, by their want of knowledge and experience in the liberties of the house; and the queries were as follow: whether this council were not a place for any member of the same here assembled, freely and without controulment of any person or danger of laws, by bill or speech to utter any of the griefs of this commonwealth whatsoever, touching the service of God, the safety of the prince and this noble realm? Whether that great honour may be done unto God, and benefit and service unto the prince and state, without free speech in this council that may be done with it? Whether there be any council which can make, add, or diminish from the laws of the

realm, but only this council of parliament? Whether it be not against the orders of this council to make any secret or matter of weight, which is here in hand, known to the prince, or any other, concerning the high service of God, prince or state, without the consent of the house? Whether the speaker or any other may interrupt any member of this council in his speech used in this house tending to any of the forenamed services? Whether the speaker may rise when he will, any matter being propounded, without consent of the house or not? Whether the speaker may over-rule the house in any matter or cause there in question, or whether he is to be ruled or over-ruled in any matter or not? Whether the prince and state can continue, and stand, and be maintained, without this council of parliament, not altering the government of the state? At the end of these questions, says sir Simon D'Ewes, I found set down this short note or memorial ensuing; by which it may be perceived, both what serjeant Puckering, the speaker, did with the said questions after he had received them, and what became also of this business, viz. "These questions Mr. Puckering pocketed up and showed sir Thomas Heneage, who so handled the matter that Mr. Wentworth went to the Tower, and the questions not at all moved. Mr. Buckler of Essex herein brake his faith in forsaking the matter, &c. and no more was done." After setting down, continues sir Simon D'Ewes, the said business of Mr. Wentworth in the original journal book, there follows only this short conclusion of the day itself, viz. "This day, Mr. Speaker being sent for to the queen's majesty, the house departed. On Thursday the second of March, Mr. Cope, Mr. Lewkenor, Mr. Hurleston, and Mr. Bainbrigg, were sent for to my lord chancellor, and by divers of the privy council, and from thence were sent to the Tower. On Saturday the fourth day of March, sir John Higham made a motion to this house, for that divers good and necessary members thereof were taken from them, that it would please them to be humble petitioners to her majesty for the restitution of them again to this house. To which speeches Mr. Vice-chamberlain answered, that if the gentlemen were committed for matter within the compass of the privilege of the house, then there might be a petition; but if not, then we should give occasion to her majesty's farther displeasure: and therefore advised to stay until they heard more, which could not be long: and farther he said, touching the book and the petition, her majesty had, for divers good causes best known to herself, thought fit to suppress the same, without any farther examination thereof; and yet thought it very unfit for her majesty to give any account of her doings.—But, whatsoever Mr. Vice-cham-

berlain pretended, it is most probable these members were committed for intermeddling with matters touching the church, which her majesty had often inhibited, and which had caused so much disputation and so many meetings between the two houses the last parliament.

This is all we find of the matter in sir Simon D'Ewes and Townshend; and it appears that those members who had been committed, were detained in custody till the queen thought proper to release them. These questions of Mr. Wentworth are curious; because they contain some faint dawn of the present English constitution; though suddenly eclipsed by the arbitrary government of Elizabeth. Wentworth was indeed, by his puritanism, as well as his love of liberty (for these two characters of such unequal merit arose and advanced together), the true forerunner of the Hampdens, the Pym, and the Hollises, who in the next age, with less courage, because with less danger, rendered their principles so triumphant. I shall only ask, whether it be not sufficiently clear from all these transactions, that in the two succeeding reigns it was the people who encroached upon the sovereign; not the sovereign who attempted, as is pretended, to usurp upon the people?

Note M, p. 66.

The queen's speech in the camp of Tilbury was in these words: My loving people, we have been persuaded by some, that are careful of our safety, to take heed how we commit ourselves to armed multitudes, for fear of treachery; but assure you, I do not desire to live to distrust my faithful and loving people. Let tyrants fear: I have always so behaved myself, that, under God, I have placed my chiefest strength and safeguard in the loyal hearts and good-will of my subjects. And therefore I am come amongst you at this time, not as for my recreation or sport, but being resolved, in the midst and heat of the battle, to live or die amongst you all; to lay down, for my God, and for my kingdom, and for my people, my honour and my blood, even in the dust. I know I have but the body of a weak and feeble woman, but I have the heart of a king, and of a king of England too; and think foul scorn that Parma or Spain, or any prince of Europe, should dare to invade the borders of my realms: to which, rather than any dishonour should come by me, I myself will take up arms: I myself will be your general, judge, and rewarder of every one of your virtues in the field. I know already, by your forwardness, that you have deserved rewards and crowns; and we do assure you, on the word of a prince, they shall be duly paid you. In the mean time my lieutenant general shall be in my stead,

than whom never prince commanded a more noble and worthy subject; not doubting by your obedience to my general, by your concord in the camp, and your valour in the field, we shall shortly have a famous victory over those enemies of my God, of my kingdom, and of my people.

Note N, p. 68.

STRYKE, vol. iii. p. 525. On the fourth of September, soon after the dispersion of the Spanish Armada, died the earl of Leicester, the queen's great, but unworthy favourite. Her affection for him continued to the last. He had discovered no conduct in any of his military enterprises, and was suspected of cowardice; yet she intrusted him with the command of her armies during the danger of the Spanish invasion; a partiality which might have proved fatal to her, had the duke of Parma been able to land his troops in England. She had even ordered a commission to be drawn for him, constituting him her lieutenant in the kingdoms of England and Ireland; but Burleigh and Hatton represented to her the danger of intrusting such unlimited authority in the hands of any subject, and prevented the execution of that design. No wonder that a conduct so unlike the usual jealousy of Elizabeth, gave reason to suspect that her partiality was founded on some other passion than friendship. But Elizabeth seemed to carry her affection to Leicester no farther than the grave: she ordered his goods to be disposed of at a public sale, in order to reimburse herself of some debt which he owed her; and her usual attention to money was observed to prevail over her regard to the memory of the deceased. This earl was a great hypocrite, a pretender to the strictest religion, an encourager of the puritans, and a founder of hospitals.

Note O, ibid.

STRYKE, vol. iii. p. 542. Id. Append. p. 239. There are some singular passages in this last speech, which may be worth taking notice of; especially as they came from a member who was no courtier; for he argues against the subsidy: "And first," says he, "for the necessity thereof I cannot deny, but if it were a charge imposed upon us by her majesty's commandment, or a demand proceeding from her majesty by way of request, that I think there is not one among us all, either so disobedient a subject in regard of our duty, or so unthankful a man in respect of the inestimable benefits which, by her or from her, we have received, which would not with frank consent, both of voice and heart, most willingly submit himself thereunto, without any unreverend enquiry into the causes thereof; for it is con-

tinually in the mouth of us all, that our lands, goods, and lives, are at our prince's disposing. And it agreeth very well with that position of the civil law, which sayeth, *Quod omnia regis sunt*. But how? *Ita tamen ut omnium sint. Ad regem enim potestas omnium pertinet: ad singulos proprietates*. So that although it must be true that her majesty hath over ourselves and our goods, *potestatem imperandi*; yet it is true, that until that power command (which, no doubt, will not command without very just cause), every subject hath his own *proprietatem possidendi*. Which power and commandment from her majesty, which we have not yet received; I take it (saving reformation) that we are freed from the cause of necessity. And the cause of necessity is the dangerous estate of the commonwealth," &c. The tenor of the speech pleads rather for a general benevolence than a subsidy; for the law of Rich. III. against benevolence was never conceived to have any force. The member even proceeds to assert with some precaution, that it was in the power of a parliament to refuse the king's demand of a subsidy; and that there was an instance of that liberty in Henry III.'s time, near four hundred years before. *Sub fine*.

Note P, p. 69.

We may judge of the extent and importance of these abuses by a speech of Baron's against purveyors, delivered in the first session of the first parliament of the subsequent reign, by which also we may learn, that Elizabeth had given no redress to the grievances complained of. "First," says he, "they take in kind what they ought not to take; secondly, they take in quantity a far greater proportion than cometh to your majesty's use; thirdly, they take in an unlawful manner, in a manner, I say, directly and expressly prohibited by the several laws. For the first, I am a little to alter their name; for instead of takers they become taxers: instead of taking provisions for your majesty's service, they tax your people *ad redimendum vexationem*; imposing upon them and extorting from them divers sums of money, sometimes in gross, sometimes in the nature of stipends annually paid, *ne noceant*, to be freed and eased of their oppression. Again, they take trees, which by law they cannot do; timber-trees, which are the beauty, countenance, and shelter of men's houses; that men have long spared from their own purse and profit; that men esteem for their use and delight, above ten times the value; that are a loss which men cannot repair or recover. These do they take, to the defacing and spoiling of your subjects' mansions and dwellings, except they may be compounded with to their own appetites. And if a gentleman be too hard for them while he is at home, they will watch their

time when there is but a bailiff or a servant remaining, and put the axe to the root of the tree, ere ever the master can stop it. Again, they use a strange and most unjust exaction in causing the subjects to pay poundage of their own debts, due from your majesty unto them; so as a poor man when he has had his hay, or his wood, or his poultry (which perchance he was full loath to part with, and had for the provision of his own family, and not to put to sale) taken from him, and that not at a just price, but under the value, and cometh to receive his money, he shall have after the rate of twelve-pence in the pound abated for poundage of his due payment upon so hard conditions. Nay, farther, they are grown to that extremity (as is affirmed, though it be scarce credible, save that in such persons all things are credible,) that they will take double poundage, once when the debenture is made, and again the second time, when the money is paid. For the second point, most gracious sovereign, touching the quantity which they take far above that which is answered to your majesty's use; it is affirmed unto me by divers gentlemen of good report, as a matter which I may safely avouch unto your majesty, that there is no pound profit which redoundeth unto your majesty in this course, but induceth and begetteth three pound damage upon your subjects, beside the discontentment. And to the end they make their spoil more securely, what do they? Whereas divers statutes do strictly provide, that whatsoever they take shall be registered and attested, to the end that by making a collation of that which is taken from the country and that which is answered above, their deceits might appear, they, to the end to obscure their deceits, utterly omit the observation of this, which the law prescribeth. And therefore to descend, if it may please your majesty, to the third sort of abuse, which is of the unlawful manner of their taking, whereof this question is a branch; it is so manifold, as it rather asketh an enumeration of some of the particulars than a prosecution of all. For their price, by law they ought to take as they can agree with the subject; by abuse, they take at an imposed and enforced price: by law, they ought to take but one appraisement by neighbours in the country; by abuse, they make a second appraisement at the court gate; and when the subjects' cattle come up many miles lean and out of plight by reason of their travel then they prize them anew at an abated price by law, they ought to take between sun and sun; by abuse, they take by twilight and in the night-time, a time well chosen for male factors: by law, they ought not to take in the highways (a place by her majesty's high prerogative protected, and by statute by special words excepted); by abuse, they take in the highways: by law, they ought to show their

commission, &c. A number of other particulars there are, &c." Bacon's Works, vol. iv. p. 305, 306.

Such were the abuses which Elizabeth would neither permit her parliaments to meddle with, nor redress herself. I believe it will readily be allowed, that this slight prerogative alone, which has passed almost unobserved amidst other branches of so much greater importance, was sufficient to extinguish all regular liberty. For what elector, or member of parliament, or even jurymen, durst oppose the will of the court, while he lay under the lash of such an arbitrary prerogative. For a farther account of the grievous and incredible oppressions of purveyors, see the Journals of the House of Commons, vol. i. p. 190. There is a story of a carter which may be worth mentioning on this occasion. "A carter had three times been at Windsor with his cart to carry away, upon summons of a remove, some part of the stuff of her majesty's wardrobe; and when he had repaired thither once, twice, and the third time, and that they of the wardrobe had told him the third time that the remove held not, the carter, clipping his hand on his thigh, said, *Now I see that the queen is a woman as well as my wife.* Which words being overheard by her majesty, who then stood at the window, she said, *What a villain is this?* and so sent him three angels to stop his mouth." Birch's Memoirs; vol. i. p. 155.

• *Note Q, p. 73.*

This year the nation suffered a great loss, by the death of sir Francis Walsingham, secretary of state; a man equally celebrated for his abilities and his integrity. He had passed through many employments, had been very frugal in his expence, yet died so poor that his family was obliged to give him a private burial. He left only one daughter, first married to sir Philip Sidney, then to the earl of Essex, favourite of queen Elizabeth, and lastly to the earl of Clanricarde of Ireland. The same year died Thomas Randolph, who had been employed by the queen in several embassies to Scotland; as did also the earl of Warwick, elder brother to Leicester.

• *Note R, p. 74.*

This action of sir Richard Greenville is so singular as to merit a more particular relation. He was engaged alone with the whole Spanish fleet of fifty-three sail, which had ten thousand men on board; and from the time the fight began, which was about three in the afternoon, to the break of next day morning, he repulsed the enemy fifteen times, though they continually shifted their vessels, and boarded with fresh men. In the beginning of the action

he himself received a wound; but he continued doing his duty above deck till eleven at night, when receiving a fresh wound, he was carried down to be dressed. During this operation he received a shot in the head, and the surgeon was killed by his side. The English began now to want powder; all their small arms were broken or become useless; of this number, which were but a hundred and three at first, forty were killed, and almost all the rest wounded; their masts were beat overboard, their tackle cut in pieces, and nothing but a hulk left, unable to move one way or other. In this situation sir Richard proposed to the ship's company, to trust to the mercy of God, not to that of the Spaniards, and to destroy the ship with themselves, rather than yield to the enemy. The master gunner, and many of the seamen, agreed to this desperate resolution; but others opposed it, and obliged Greenville to surrender himself prisoner. He died a few days after; and his last words were: "Here die I, Richard Greenville, with a joyful and quiet mind; for that I have ended my life as a true soldier ought to do, fighting for his country, queen, religion, and honour: my soul willingly departing from this body, leaving behind the lasting fame of having behaved as every valiant soldier is in his duty bound to do." The Spaniards lost in this sharp, though unequal action, four ships, and about a thousand men, And Greenville's vessel perished soon after with two hundred Spaniards in her. Hackluyt's Voyages, vol. ii. part 2. p. 169. Camden, p. 565.

• *Note S, p. 82.*

It is usual for the speaker to disqualify himself for the office; but the reasons employed by this speaker are so singular, that they may be worth transcribing. "My estate," said he, "is nothing correspondent for the maintenance of this dignity; for my father dying, left me a younger brother, and nothing to me but my bare annuity. Then growing to man's estate, and some small practice of the law, I took a wife, by whom I have had many children: the keeping of us all being a great impoverishing to my estate, and the daily living of us all nothing but my daily industry. Neither from my person nor my nature doth this choice arise: for he that supplieth this place ought to be a man big and comely, stately and well spoken, his voice great, his carriage majestic, his nature haughty, and his purse plentiful and heavy: but contrarily the stature of my body is small, myself not so well spoken, my voice low, my carriage lawyer-like, and of the common fashion, my nature soft and bashful, my purse thin, light, and never yet plentiful.—If Demosthenes, being so learned and eloquent as he was, one whom none

surpassed, trembled to speak before Phocion at Athens; how much more shall I, being unlearned and unskilful to supply the place of dignity, charge and trouble, to speak before so many Phocians as here be? Yea, which is the greatest, before the unspeakable majesty and sacred personage of our dread and dear sovereign: the terror of whose countenance will appal and abase even the stoutest hearts—yea, whose very name will pull down the greatest courage? For how mightily do the estate and name of a prince deject the haughtiest stomach even of their greatest subject?" D'Ewes, p. 459.

Note T, p. 84.

CABALA, p. 234. Birch's Memoirs, vol. ii. p. 386. Speed, p. 877. The whole letter of Essex is so curious and so spirited, that the reader may not be displeased to read it. "My very good lord; though there is not that man this day living, whom I would sooner make judge of any question that might concern me than yourself, yet you must give me leave to tell you, that in some cases I must appeal from all earthly judges: and if any, then surely in this, when the highest judge on earth has imposed on me the heaviest punishment, without trial or hearing. Since then I must either answer your lordship's argument, or else forsake mine own just defence, I will force mine aching head to do me service for an hour. I must first deny my discontent, which was forced, to be an humorous discontent; and that it was unseasonable, or is of so long continuing, your lordship should rather condole with me than expostulate: natural seasons are expected here below; but violent and unseasonable storms come from above: there is no tempest equal to the passionate indignation of a prince; nor yet at any time so unseasonable as when it lighteth on those that might expect a harvest of their careful and painful labours. He that is once wounded must needs feel smart till his hurt is cured, or the part hurt become senseless: but cure I expect none, her majesty's heart being obdurate against me; and he without sense I cannot, being of flesh and blood. But, say you, I may aim at the end: I do more than aim; for I see an end of all my fortunes, I have set an end to all my desires. In this course do I any thing for my enemies? When I was at court I found them absolute; and therefore I had rather they should triumph alone, than have me attendant upon their chariots. Or do I leave my friends? When I was a courtier, I could yield them no fruit of my love unto them; and now that I am a hermit, they shall bear no envy for their love towards me. Or do I forsake myself, because I do enjoy myself? Or do I overthrow my for-

tunes, because I build not a fortune of paper walls, which every puff of wind bloweth down? Or do I ruinate my honour, because I leave following the pursuit, or wearing the false badge or mark of the shadow of honour? Do I give courage, or comfort to the foreign foe, because I reserve myself to encounter with him? Or because I keep my heart from business, though I cannot keep my fortune from declining? No, no, my good lord, I give every one of these considerations its due weight; and the more I weigh them, the more I find myself justified from offending in any of them. As for the two last objections, that I forsake my country when it hath most need of me, and fail in that indissoluble duty which I owe to my sovereign; I answer, that if my country had at this time any need of my public service, her majesty, that governeth it, would not have driven me to a private life. I am tied to my country by two bonds; one public, to discharge carefully and industriously that trust which is committed to me; the other private, to sacrifice for it my life and carcass, which hath been nourished in it. Of the first I am free, being dismissed, discharged, and disabled by her majesty: of the other, nothing can free me but death: and therefore no occasion of my performance shall sooner offer itself but I shall meet it half way. The indissoluble duty which I owe unto her majesty, is only the duty of allegiance, which I never have, nor never can fail in: the duty of attendance is no indissoluble duty. I owe her majesty the duty of an earl, and of lord marshal of England. I have been content to do her majesty the service of a clerk; but I can never serve her as a villain or slave. But yet you say I must give way unto the time. So I do; for now that I see the storm come, I have put myself into the harbour. Seneca saith, We must give way to fortune: I know that fortune is both blind and strong, and therefore I go as far as I can out of her way. You say the remedy is not to strive: I neither strive nor seek for remedy. But you say, I must yield and submit; I can neither yield myself to be guilty, nor allow the imputation laid upon me to be just: I owe so much to the Author of all truth, as I can never yield truth to be falsehood, nor falsehood to be truth. Have I given cause, you ask; and yet take a scandal when I have done? No: I gave no cause, not so much as Fimbria's complaint against me; for I did *totum telum corpore recipere*: receive the whole sword into my body. I patiently bear all, and sensibly feel all that I then received when this scandal was given me. Nay more, when the vilest of all indignities are done unto me," &c. This noble letter Bacon afterwards, in pleading against Essex, called bold and presumptuous, and derogatory to her majesty. Birch's Memoirs, vol. ii. p. 388.

Note U, p. 94.

MOST of queen Elizabeth's courtiers feigned love and desire towards her, and addressed themselves to her in the style of passion and gallantry. Sir Walter Raleigh, having fallen into disgrace, wrote the following letter to his friend sir Robert Cecil, with a view, no doubt, of having it shown to the queen. "My heart was never broke till this day, that I hear the queen goes away so far off, whom I have followed so many years, with so great love and desire, in so many journeys, and am now left, behind her in a dark prison all alone. While she was yet near at hand, that I might hear of her once in two or three days, my sorrows were the less; but even now my heart is cast into the depth of all misery. I, that was wont to behold her riding like Alexander, hupping like Diana, walking like Venus, the gentle wind blowing her fair hair about her pure cheeks, like a nymph, sometimes sitting in the shade like a goddess, sometimes singing like an angel, sometimes playing like Orpheus; behold the sorrow of this world! once amiss hath bereaved me of all. O glory, that only shineth in misfortune! what is become of thy assurance? All wounds have scars but that of fantasy: all affections their relenting but that of womankind. Who is the judge of friendship but adversity, or when is grace witnessed but in offences? There were no civility but by reason of compassion; for revenges are brutish and mortal. All those times past, the loves, the sighs, the sorrows, the desires, cannot they weigh down one frail misfortune? Cannot one drop of gall be hid in so great heaps of sweetness? I may then conclude, *Spes et fortuna, valet*. She is gone in whom I trusted; and of me hath not one thought of mercy, nor any respect of that which was. Do with me now therefore what you list. I am more weary of life than they are desirous I should perish; which if it had been for her, as it is by her, I had been too happily born." Murden, 657. It is to be remarked that this nymph, Venus, goddess, angel, was then about sixty. Yet five or six years after she allowed the same language to be held to her. Sir Henry Unton, her ambassador in France, relates to her a conversation which he had with Henry IV. The monarch, after having introduced Unton to his mistress, the fair Gabrielle, asked him how he liked her? "I answered sparingly in her praise," said the minister, "and told him, that if, without offence, I might speak it, I had the picture of a far more excellent mistress, and yet did her picture come far short of her perfection of beauty. As you love me, said he, show it me if you have it about you. I made some difficulties; yet, upon his importunity, offered it to his view very secretly, holding it still in my hand: he beheld it with passion, and

admiration, saying that I had reason, *Je me rends*, protesting that he had never seen the like; so, with great reverence, he kissed it twice or thrice, I detaining it still in my hand. In the end, with some kind of contention, he took it from me, vowing that I might take my leave of it; for he would not forego it for any treasure: and that to possess the favour of the lively picture, he would forsake all the world, and hold himself most happy; with many other most passionate speeches." Murden, p. 718. For farther particulars on this head, see the ingenious author of the Catalogue of royal and noble Authors, article Essex.

Note V, p. 101.

It may not be amiss to subjoin some passages of these speeches; which may serve to give us a just idea of the government of that age, and of the political principles which prevailed during the reign of Elizabeth. Mr. Laurence Hyde proposed a bill, entitled, An act for the explanation of the common law in certain cases of letters patent. Mr. Spicer said, This bill may touch the prerogative royal, which, as I learned the last parliament, is so transcendant, that the ——— of the subject may not aspire thereunto. Far be it therefore from me, that the state and prerogative royal of the prince should be tied by me, or by the act of any other subject. Mr. Francis Bacon said, As to the prerogative royal of the prince, for my own part, I ever allowed of it; and it is such as I hope will never be discussed. The queen, as she is our sovereign, hath both an enlarging and restraining power. For by her prerogative she may set at liberty things restrained by statute-law or otherwise, and secondly, by her prerogative she may restrain things which be at liberty. For the first, she may grant a *non obstante* contrary to the penal laws.—With regard to monopolies, and such like cases, the case hath ever been to humble ourselves unto her majesty, and by petition desire to have our grievances remedied, especially when the remedy toucheth her so high in point of prerogative.—I say, and I say it again, that we ought not to deal, to judge, or meddle with her majesty's prerogative. I wish therefore every man to be careful of this business. Dr. Bennet said, He that goeth about to debate her majesty's prerogative had need to walk warily. Mr. Laurence Hyde said, For the bill itself, I made it, and I think I understand it: and far be it from this heart of mine to think, this tongue to speak, or this hand to write any thing either in prejudice or derogation of her majesty's prerogative-royal and the state.—Mr. Speaker, quoth serjeant Harris, for ought I see, the house moveth to have this bill in the nature of a petition; it must then begin with more humiliation. And

truly, sir, the bill is good of itself, but the penning of it is somewhat out of course. Mr. Montague said, the matter is good and honest, and I like this manner of proceeding by bill well enough in this matter. The grievances are great, and I would note only unto you thus much, that the last parliament we proceeded by way of petition, which had no successful effect. Mr. Francis More said, I know the queen's prerogative is a thing curious to be dealt withal: yet all grievances are not comparable. I cannot utter with my tongue, or conceive with my heart, the great grievances that the town and country, for which I serve, suffereth by some of these monopolies. It bringeth the general profit into a private hand, and the end of all this is beggary and bondage to the subjects. We have a law for the true and faithful currying of leather: there is a patent sets all at liberty notwithstanding that statute. And to what purpose is it to do any thing by act of parliament, when the queen will undo the same by her prerogative? Out of the spirit of humiliation, Mr. Speaker, I do speak it, there is no act of her's that hath been or is more derogatory to her own majesty, more odious to the subject, more dangerous to the commonwealth, than the granting of these monopolies. Mr. Martin said, I do speak for a town that grieves and pines, for a country that groaneth and languishes, under the burden of monstrous and unconscionable substitutes to the monopolitans of starch, tin, fish, cloth, oil, vinegar, salt, and I know not what; nay, what not? The principallest commodities both of my town and country are engrossed into the hands of these blood-suckers of the commonwealth. If a body, Mr. Speaker, being let blood, be left still languishing without any remedy, how can the good estate of that body still remain? Such is the state of my town and country; the traffic is taken away, the inward and private commodities are taken away, and dare not be used without the licence of these monopolitans. If these blood-suckers be still let alone to suck up the best and principallest commodities, which the earth there hath given us, what will become of us, from whom the fruits of our own soil, and the commodities of our own labour, which, with the sweat of our brows, even up to the knees in mire and dirt, we have laboured for, shall be taken by warrant of supreme authority, which the poor subject dare not gainsay? Mr. George Moore said, we know the power of her majesty cannot be restrained by any act: why therefore should we thus talk? Admit we should make this statute with a *non obstante*: yet the queen may grant a patent with a *non obstante*, to cross this *non obstante*. I think therefore it agreeth more with the gravity and wisdom of this house to proceed with all humbleness by petition than bill. Mr. Dowland said, As I would be no let

or overvehement in any thing, so I am not sottish or senseless of the common grievance of the commonwealth. If we proceed by way of petition, we can have no more gracious answer than we had the last parliament to our petition. But since that parliament we have no reformation. Sir Robert Wroth said, I speak, and I speak it boldly, these patentees are worse than ever they were. Mr. Hayward Townsend proposed, that they should make suit to her majesty, not only to repeal all monopolies grievous to the subject, but also that it would please her majesty to give the parliament leave to make an act, that they might be of no more force, validity, or effect, than they are at the common law, without the strength of her prerogative. Which though we might now do, and the act being so reasonable, we might assure ourselves her majesty would not delay the passing thereof, yet we, her loving subjects, &c. would not offer, without her privy and consent (the cause so nearly touching her prerogative), or go about to do any such act.

On a subsequent day the bill against monopolies was again introduced, and Mr. Spicer said, It is to no purpose to offer to tie her majesty's hands by act of parliament, when she may loosen herself at her pleasure. Mr. Davies said, God hath given that power to absolute princes which he attributes to himself. *Diri quod Dii estis*. (N. B. This axiom he applies to the kings of England.) Mr. secretary Cecil said, I am servant to the queen, and before I would speak and give consent to a case that should abase her prerogative, or abridge it, I would wish that my tongue were cut out of my head. I am sure there were law-makers before there were laws—(meaning, I suppose, that the sovereign was above the laws.) One gentleman went about to possess us with the execution of the law in an ancient record of 5 or 7 of Edward III. Likely enough to be true in that time, when the king was afraid of the subject. If you stand upon law, and dispute of the prerogative, hark ye what Bracton says, *Prerogativam nostram nemo audeat disputare*. And for my own part, I like not these courses should be taken. And you, Mr. Speaker, should perform the charge her majesty gave unto you in the beginning of this parliament, not to receive bills of this nature: for her majesty's ears be open to all grievances, and her hand stretched out to every man's petitions.—When the prince dispenses with a penal law, that is left to the alteration of sovereigns, that is good and irrevocable. Mr. Montague said, I am loath to speak what I know, lest, perhaps, I should displease. The prerogative royal is that which is now in question, and which the laws of the land have ever allowed and maintained. Let us therefore apply by petition to her majesty.

After the speaker told the house that the queen had annulled many of the patents, Mr. Francis More said, I must confess, Mr. Speaker, I moved the house both the last parliament and this, touching this point; but I never meant (and I hope the house thinketh so) to set limits and bounds to the prerogative royal. He proceeds to move, that thanks should be given to her majesty; and also, that whereas divers speeches had been moved extravagantly in the house, which doubtless have been told her majesty, and perhaps ill conceived of by her, Mr. Speaker would apologize, and humbly crave pardon for the same. N. B. These extracts were taken by Townsend, a member of the house, who was no courtier; and the extravagance of the speeches seems rather to be on the other side: it will certainly appear strange to us, that this liberty should be thought extravagant. However, the queen, notwithstanding her cajoling the house, was so ill satisfied with these proceedings, that she spoke of them preensively in her concluding speech, and told them that she perceived that private respects with them were privately masked under public prudence. D'Ewes, p. 619.

There were some other topics in favour of prerogative, still more extravagant, advanced in the house this parliament. When the question of the subsidy was before them, Mr. serjeant Heyle said, Mr. Speaker, I marvel much that the house should stand upon granting of a subsidy or the time of payment, when all we have is her majesty's, and she may lawfully at her pleasure take it from us: yea, she hath as much right to all our lands and goods as to any revenue of her crown. At which all the house hemmed, and laughed, and talked. Well, quoth serjeant Heyle, all your hemming shall not put me out of countenance. So Mr. Speaker stood up and said, It is a great disorder, that this house should be so used. So the said serjeant proceeded, and when he had spoken a little while, the house hemmed again; and so he sat down. In his latter speech, he said, he could prove his former position by precedents in the time of Henry the third, king John, king Stephen, &c. which was the occasion of their hemming. D'Ewes, p. 633. It is observable, that Heyle was an eminent lawyer, a man of character. Winwood, vol. i. p. 230. And though the house in general showed their disapprobation, no one cared to take him down, or oppose these monstrous positions. It was also asserted in session, that in the same manner as the Roman consul was possessed of the power of rejecting or admitting motions in the senate, the speaker might either admit or reject bills in the house. D'Ewes, p. 677.—The house declared themselves against this opinion; but the very proposal of it is a proof at what a low ebb liberty was at that time in England.

In the year 1591, the judges made a solemn decree, that England was an absolute empire, of which the king was the head. In consequence of this opinion, they determined that, even if the act of the first of Elizabeth had never been made, the king was supreme head of the church; and might have erected, by his prerogative, such a court as the ecclesiastical commission; for that he was the head of all his subjects. Now that court was plainly arbitrary: the inference is, that his power was equally absolute over the laity. See Coke's Reports, p. 5. Caudrey's case.

Note W, p. 111.

We have remarked before, that Harrison, in book ii. chap. 11, says, that in the reign of Henry VIII. there were hanged seventy-two thousand thieves and rogues (*besides other malefactors*); this makes about two thousand a year: but in queen Elizabeth's time, the same author says, there were only between three and four hundred a year hanged for theft and robbery: so much had the times mended. But in our age there are not forty a year hanged for those crimes in all England. Yet Harrison complains of the relaxation of the laws, that there were so few such rogues punished in his time. Our vulgar prepossession in favour of the morals of former and rude ages is very absurd and ill-grounded. The same author says, chap. 10, that there were computed to be ten thousand gypsies in England; a species of banditti introduced about the reign of Henry VIII.; and he adds, that there will be no way of extirpating them by the ordinary course of justice: the queen must employ martial law against them. That race has now almost totally disappeared in England, and even in Scotland, where there were some remains of them a few years ago. However arbitrary the exercise of martial law in the crown, it appears that nobody in the age of Elizabeth entertained any jealousy of it.

Note X, p. 114.

HARRISON, in his *Description of Britain*, printed in 1577, has the following passage, chap. 13. Certes, there is no prince in Europe that hath a more beautiful sort of ships than the queen's majesty of England at this present; and those generally are of such exceeding force, that two of them being well appointed and furnished as they ought, will not let to encounter with three or four of them of other countries, and either bowge them or put them to flight, if they may not bring them home.—The queen's highness hath at this present al ready made and furnished to the number of one and twenty great ships, which lie for the most part in Gillingham road. Beside these, her grace

hath other in hand also, of whom hereafter, as their turns do come about, I will not let to leave some farther remembrance. She hath likewise three notable galleys, the Speedwell, the Tryeright, and the Black Galley; with the sight whereof, and the rest of the navy-royal, it is incredible to say how marvellously her grace is delighted; and not without great cause, sith by their means her coasts are kept in quiet, and sundry foreign enemies put back, which otherwise would invade us. *After speaking of the merchant ships, which he says are commonly estimated at seventeen or eighteen hundred, he continues,* I add, therefore, to the end all men should understand somewhat of the great masses of treasure daily employed upon our navy, how there are few of those ships of the first and second sort (that is of the merchant ships), that being apparelled and made ready to sail, are not worth one thousand pounds, or three thousand ducats at the least, if they should presently be sold. What shall we then think of the navy-royal, of which some one vessel is worth two of the other, as the shipwright has often told me?—It is possible that some covetous person, hearing this report, will either not credit at all, or suppose money so employed to be nothing profitable to the queen's coffers, as a good husband said once, when he heard that provisions should be made for armour, wishing the queen's money to be rather laid out to some speedier return of gain unto her grace: but if he wist that the good keeping of the sea is the safeguard of our land, he would alter his censure, and soon give over his judgment. *Speaking of the forests, the author says,* An infinite deal of wood hath been destroyed within these few years, and I dare affirm, that, if wood do go so fast to decay in the next hundred years of grace, as they have done, or are like to do in this, it is to be feared that seacoal will be good merchandize even in the city of London. Harrison's prophecy was fulfilled in a very few years; for about 1615, there were two hundred sail employed in carrying coal to London.—See Anderson, vol. i. p. 494.

Note Y, p. 116.

LIFE of Burleigh, published by Collins, p. 44. The author hints, that this quantity of plate was considered only as small in a man of Burleigh's rank. His words are, *his plate was not above fourteen or fifteen thousand pounds*: that he means pound weight is evident. For, by Burleigh's will, which is annexed to his life, that nobleman gives away in legacies, to friends and relations, near four thousand pounds weight, which would have been above twelve thousand pounds sterling in value. The remainder he orders to be divided into two equal portions; the half to his eldest son and

heir; the other half to be divided equally among his second son and three daughters. Were we therefore to understand the whole value of his plate to be only fourteen or fifteen thousand pounds sterling, he left not the tenth of it to the heir of his family.

Note Z, ibid.

HARRISON says, "The greatest part of our building in the cities and good towns of England consisteth only of timber, cast over with thick clay to keep out the wind. Certes, this rude kind of building made the Spaniards in queen Mary's days to wonder; but chiefly when they saw that large diet was used in many of these so homely cottages, insomuch that one of no small reputation amongst them said, after this manner; These English, quoth he, have their houses made of sticks and dirt, but they fare commonly so well as the king. Whereby it appeareth that he liked better of our good fare in such coarse cabins, than of their own thin diet in their princely habitations and palaces. The clay with which our houses are commonly impanelled, is either white, red, or blue." Book ii. chap. 12.—The author adds, that the new houses of the nobility are commonly of brick or stone, and that glass windows were beginning to be used in England.

Note AA, p. 117.

THE following are the words of Roger Ascham, the queen's preceptor. "It is your shame (I speak to you all, you young gentlemen of England), that one maid should go beyond ye all in excellency of learning, and knowledge of divers tongues. Point out six of the best given gentlemen of this court, and all they together shew not so much good will, spend not so much time, bestow not so many hours daily, orderly, and constantly, for the increase of learning and knowledge as doth the queen's majesty herself. Yea, I believe that, besides her perfect readiness in Latin, Italian, French, and Spanish, she readeth here now at Windsor more Greek every day, than some prebendary of this church doth Latin in a whole week.—Amongst all the benefits which God had blessed me withal, next the knowledge of Christ's true religion, I count this the greatest, that it pleased God to call me to be one poor minister in setting forward these excellent gifts of learning," &c. Page 242.—Truly, says Harrison, it is a rare thing with us now to hear of a courtier which hath but his own language; and to say how many gentlewomen and ladies there are that, besides sound knowledge of the Greek and Latin tongues, are thereto no less skilful in the Spanish, Italian, and French, or in some of them, it resteth not in me, sith I am persuaded, that as the, noblemen and

gentlemen do surmount in this behalf, so these come little or nothing at all behind them for their parts; which industry God continue. The stranger, that entereth in the court of England upon the sudden, shall rather imagine himself to come into some public school of the university, where many give ear to one that readeth unto them, than into a prince's palace, if you confer thus with those of other nations. Description of Britain, book ii. chap. 15.—By this account the court had profited by the example of the queen. The sober way of life practised by the ladies of Elizabeth's court appears from the same author. Reading, spinning, and needle-work, occupied the elder; music the younger. Id. *ibid.*

" Note BB, p. 125.

SIR CHARLES CORNWALLIS, the king's ambassador at Madrid, when pressed by the duke of Lerma to enter into a league with Spain, said to that minister; *Though his majesty was an absolute king, and therefore not bound to give an account to any, of his actions; yet that so gracious and regardful a prince he was of the love and contentment of his own subjects, as I assured myself he would not think it fit to do any thing of so great consequence without acquainting them with his intentions.* Winwood, vol. ii. p. 222.—Sir Walter Raleigh has this passage in the preface to his History of the World: *Philip II. by strong hand and main force, attempted to make himself not only an absolute monarch over the Netherlands, like unto the kings and monarchs of England and France, but Turk-like, to tread under his feet all their natural and fundamental laws, privileges, and ancient rights.* We meet with this passage in sir John Davis's Question concerning Impositions, p. 161. "Thus we see by this comparison, that the king of England doth lay but his little finger upon his subjects, when other princes and states do lay their heavy loins upon their people: what is the reason of this difference? From whence cometh it? Assuredly not from a different power of prerogative: for the king of England is as absolute a monarch as any emperor or king in the world, and hath as many prerogatives incident to his crown." Coke, in Cawdry's case, says, "That, by the ancient laws of this realm, England is an absolute empire and monarchy; and that the king is furnished with plenary and entire power, prerogative, and jurisdiction, and is supreme governor over all persons within this realm." Spencer, speaking of some grants of the English kings to the Irish corporations, says, "All which, though at the time of their first grant they were tolerable, and perhaps reasonable, yet now are most unreasonable and inconvenient. But all these will easily be cut off, with the superior power of her majesty's prero-

gative, against which her own grants are not to be pleaded or enforced." State of Ireland, p. 1537. edit. 1706. The same author, in p. 1660, proposes a plan for the civilization of Ireland; that the queen should create a provost marshal in every county, who might ride about with eight or ten followers in search of stragglers and vagabonds; the first time he catches any he may punish them more lightly by the stocks; the second time, by whipping; but the third time he may hang them, without trial or process, on the first bough: and he thinks that this authority may more safely be intrusted to the provost marshal than to the sheriff; because the latter magistrate, having a profit by the escheats of felons, may be tempted to hang innocent persons. Here a real, absolute, or rather despotic power is pointed out; and we may infer from all these passages, either that the word *absolute* bore a different sense from what it does at present, or that men's ideas of the English, as well as Irish government, were then different. This latter inference seems juster. The word being derived from the French, bore always the same sense as in that language. An absolute monarchy, in Charles the first's answer to the nineteen propositions, is opposed to a limited; and the king of England is acknowledged not to be absolute: so much had matters changed even before the civil war. In sir John Fortescue's treatise of absolute and limited monarchy, a book written in the reign of Edward the fourth, the word *absolute* is taken in the same sense as at present; and the government of England is also said not to be absolute. They were the princes of the house of Tudor chiefly who introduced that administration, which had the appearance of absolute government. The princes before them were restrained by the barons; as those after them by the house of commons. The people had, properly speaking, little liberty in either of these ancient governments, but least in the more ancient.

" Note CC, p. 126.

EVEN this parliament, which showed so much spirit and good sense in the affair of Goodwin, made a strange concession to the crown, in their fourth session. Toby Mathews, a member, had been banished by order of the council upon direction from his majesty. The parliament not only acquiesced in this arbitrary proceeding, but issued writs for a new election. Such novices were they as yet in the principles of liberty! See Journ. 14 Feb. 1609. Mathews was banished by the king, on account of his change of religion to popery. The king had an indulgence to those who had been educated catholics; but could not bear the new converts. It was probably the animosity

of the commons against the papists, which made them acquiesce in this precedent, without reflecting on the consequences! The jealousy of liberty, though roused, was not yet thoroughly enlightened.

Note DD, p. 127.

AT that time men of genius and enlarged minds had adopted the principles of liberty, which were as yet pretty much unknown to the generality of the people. Sir Matthew Hales has published a remonstrance against the king's conduct towards the parliament during this session. The remonstrance is drawn with great force of reasoning, and spirit of liberty; and was the production of sir Francis Bacon and sir Edwin Sandys, two men of the greatest parts and knowledge in England. It is drawn in the name of the commons; but as there is no hint of it in the journals, we must conclude, either that the authors, sensible that the strain of the piece was much beyond the principles of the age, had not ventured to present it to the house, or that it had been for that reason rejected. The dignity and authority of the commons are strongly insisted upon in this remonstrance; and it is there said, that their submission to the ill treatment which they received during the latter part of Elizabeth's reign, had proceeded from their tenderness towards her age and her sex. But the authors are mistaken in these facts: for the house received and submitted to as bad treatment in the beginning and middle of that reign. The government was equally arbitrary in Mary's reign, in Edward's, in Henry the eighth and seventh's. And the farther we go back into history, though there might be more of a certain irregular kind of liberty among the barons, the commons were still of less authority.

Note EE, p. 128.

THIS parliament passed an act of recognition of the king's title in the most ample terms. They recognised and acknowledged, that immediately upon the dissolution and decease of Elizabeth, late queen of England, the imperial crown thereof did, by inherent birthright and lawful and undoubted succession, descend and come to his most excellent majesty, as being lineally, justly, and lawfully, next and sole heir of the blood royal of this realm. 1 James I. cap. i.—The puritans, though then prevalent, did not think proper to dispute this great constitutional point. In the recognition of queen Elizabeth, the parliament declares, that the queen's highness is, and in very deed and of most mere right ought to be, by the laws of God and by the laws and statutes of this realm, our most lawful and rightful sovereign, liege lady and queen, &c. It appears then, that if

king James's *divine right* be not mentioned by parliament, the omission came merely from chance, and because that phrase did not occur to the compiler of the recognition; his title being plainly the same with that of his predecessor, who was allowed to have a *divine right*.

Note FF, p. 132.

SOME historians have imagined, that the king had secret intelligence of the conspiracy, and that the letter to Monteaule was written by his direction, in order to obtain the praise of penetration in discovering the plot. But the known facts refute this supposition. That letter, being commonly talked of, might naturally have given alarm to the conspirators, and made them contrive their escape. The visit of the lord chamberlain ought to have had the same effect. If short, it appears that nobody was arrested or inquired after for some days, till Fackles discovered the names of the conspirators. We may infer, however, from a letter in Winwood's Memorials, vol. ii. p. 171, that Salisbury's sagacity led the king in his conjectures, and that the minister, like an artful courtier, gave his master the praise of the whole discovery.

Note GG, p. 137.

WE find the king's answer in Winwood's Memorials, vol. iii. p. 193. 2d edit. "To the third and fourth (namely, that it might be lawful to arrest the king's servants without leave, and that no man should be enforced to lend money, nor to give a reason why he would not) his majesty sent us an answer, that because we brought precedents of antiquity to strengthen those demands, he allowed not of any precedents drawn from the time of usurping or decaying princes, or people too bold or wanton; that he desired not to govern in that commonwealth, where subjects should be assured of all things, and hope for nothing. It was one thing *submittere principatum legibus*; and another thing *submittere principatum subditis*. That he would not leave to posterity such a mark of weakness upon his reign; and therefore his conclusion was, *non placet petitio, non placet exemplum*: yet with this mitigation, that in matters of loans he would refuse no reasonable excuse, nor should my lord chamberlain deny the arresting of any of his majesty's servants, if just cause was shown." —The parliament, however, acknowledged at this time with thankfulness to the king, that he allowed disputes and inquiries about his prerogative, much beyond what had been indulged by any of his predecessors. *Part. Hist.* vol. v. p. 230.—This very session, he expressly gave them leave to produce all their grievances without exception.

Note HH, p. 138.

It may not be unworthy of observation, that James, in a book called *The true laws of free Monarchies*, which he published a little before his accession to the crown of England (affirmed, "That a good king, although he be above the law, will subject and frame his actions thereto, for example's sake to his subjects, and of his own freewill, but not as subject or bound thereto." In another passage, "According to the fundamental law already alleged, we daily see, that in the parliament (which is nothing else but the head-court of the king and his vassals) the laws are but graven by his subjects, and only made by him at their roagation, and with their advice. For albeit the king make daily statutes and ordinances, enjoining such pains hereto as he thinks meet, without any advice of parliament or estates; yet it lies in the power of no parliament to make any kind of law or statute, without his sceptre be to it, for giving it the force of a law." *King James's Works*, p. 202.—It is not to be supposed that, at such a critical juncture, James had so little sense as, directly, in so material a point, to have openly shocked what were the universal established principles of that age: on the contrary, we are told by historians, that nothing tended more to facilitate his accession, than the good opinion entertained of him by the English, on account of his learned and judicious writings. The question, however, with regard to the royal power was, at this time, become a very dangerous point; and without employing ambiguous, insignificant terms, which determined nothing, it was impossible to please both king and parliament. Dr. Cowell, who had magnified the prerogative in words too intelligible, fell this session under the indignation of the commons. *Parliament. Hist.* vol. v. p. 221.—The king himself, after all his magnificent boasts, was obliged to make his escape through a distinction, which he framed between a king in *abstracto* and a king in *concreto*: an abstract king, he said, had all power; but a concrete king was bound to observe the laws of the country which he governed. *King James's Works*, p. 533. But how bound? By conscience only? Or might his subjects resist him and defend their privileges? This he thought not fit to explain. And so difficult is it to explain that point, that, to this day, whatever liberties may be used by private inquirers, the laws very prudently, thought proper to maintain a total silence with regard to it.

Note II, p. 145.

PARL. HIST. vol. v. p. 290. So little fixed at this time were the rules of parliament, that the commons complained to the peers of a

speech made in the upper house by the bishop of Lincoln; which it belonged only to that house to censure, and which the other could not regularly be supposed to be acquainted with. These at least are the rules established since the parliament became a real seat of power, and scene of business. Neither the king must take notice of what passes in either house, nor either house of what passes in the other, till regularly informed of it. The commons, in their famous protestation 1621, fixed this rule with regard to the king, though at present they would not bind themselves by it. But as liberty was yet new, those maxims which guard and regulate it were unknown and unpractised.

Note KK, p. 153.

SOME of the facts in this narrative, which seem to condemn Raleigh, are taken from the king's declaration, which being published by authority, when the facts were recent, being extracted from examinations before the privy council, and subscribed by six privy counselors, among whom was Abbot archbishop of Canterbury, a prelate nowise complaisant to the court, must be allowed to have great weight, or rather to be of undoubted credit. Yet the most material facts are confirmed either by the nature and reason of the thing, or by sir Walter's own apology and his letters. The king's declaration is in the Harleian Miscellany, vol. iii. No. 2.

1. There seems to be an improbability that the Spaniards, who knew nothing of Raleigh's pretended mine, should have built a town in so wide a coast, within three miles of it. The chances are extremely against such a supposition: and it is more natural to think, that the view of plundering the town led him thither, than that of working a mine. 2. No such mine is there found to this day. 3. Raleigh in fact found no mine, and in fact he plundered and burnt a Spanish town. Is it not more probable, therefore, that the latter was his intention? How can the secrets of his breast be rendered so visible as to counterpoise certain facts? 4. He confesses, in his letter to lord Carew, that though he knew it, yet he concealed from the king the settlement of the Spaniards on that coast. Does not this fact alone render him sufficiently criminal? 5. His commission empowers him only to settle on a coast possessed by savage and barbarous inhabitants. Was it not the most evident breach of orders to disembark on a coast possessed by Spaniards? 6. His orders to Keymis, when he sent him up the river, are contained in his own apology, and from them it appears, that he knew (what was unavoidable) that the Spaniards would resist, and would oppose the English landing and taking possession of the

country. His intentions, therefore, were hostile from the beginning. 7. Without provocation, and even when at a distance, he gave Keymis orders to dislodge the Spaniards from their own town. Could any enterprise be more hostile? And considering the Spaniards as allies to the nation, could any enterprise be more criminal? Was he not the aggressor, even though it should be true that the Spaniards fired upon his men at landing? It is said, he killed three or four hundred of them. Is that so light a matter? 8. In his letter to the king, and in his apology, he grounds his defence on former hostilities exercised by the Spaniards against other companies of Englishmen. These are accounted for by the ambiguity of the treaty between the nations. And it is plain, that though these might possibly be reasons for the king's declaring war against that nation, they could never entitle Raleigh to declare war, and without any commission, or contrary to his commission, to invade the Spanish settlements. He pretends indeed that peace was never made with Spain in the Indies: a most absurd notion! The chief hurt which the Spaniards could receive from England was in the Indies; and they never would have made peace at all, if hostilities had been still to be continued on these settlements. By secret agreement, the English were still allowed to support the Dutch even after the treaty of peace. If they had also been allowed to invade the Spanish settlements, the treaty had been a full peace to England, while the Spaniards were still exposed to the full effects of war. 9. If the claim to the property of that country, as first discoverers, was good, in opposition to present settlement, as Raleigh pretends; why was it not laid before the king with all its circumstances, and submitted to his judgment? 10. Raleigh's force is acknowledged by himself to have been insufficient to support him in the possession of St. Thomas, against the power of which Spain was master on that coast; yet it was sufficient, as he owns, to take by surprise and plunder twenty towns. It was not therefore his design to settle, but to plunder. By these confessions, which I have here brought together, he plainly betrays himself. 11. Why did he not stay and work his mine, as at first he projected? He apprehended that the Spaniards would be upon him with a greater force. But before he left England, he knew that this must be the case, if he invaded any part of the Spanish colonies. His intention therefore never was to settle, but only to plunder. 12. He acknowledges that he knew neither the depth nor riches of the mine, but only that there was some ore there. Would he have ventured all his fortune and credit on so precarious a foundation? 13. Would the other adventurers, if made acquainted with this, have risked every thing to attend him?

Ought a fleet to have been equipped for an experiment? Was there not plainly an imposture in the management of this affair? 14. He says to Keymis, in his orders, Bring but a basket-full of ore, and it will satisfy the king that my project was not imaginary. This was easily done from the Spanish mines; and he seems to have been chiefly displeased at Keymis for not attempting it. Such a view was a premeditated apology to cover his cheat. 15. The king in his declaration imputes it to Raleigh, that as soon as he was at sea, he immediately fell into such uncertain and doubtful talk of his mine, and said, that it would be sufficient if he brought home a basket-full of ore. From the circumstance last mentioned, it appears that this imputation was not without reason. 16. There are many other circumstances of great weight in the king's declaration; that Raleigh, when he fell down to Plymouth, took no pioneers with him, which he always declared to be his intention; that he was nowise provided with instruments for working a mine, but had a sufficient stock of warlike stores; that young Raleigh, in attacking the Spaniards, employed the words which, in the narration, I have put in his mouth; that the mine was moveable, and shifted as he saw convenient: not to mention many other public facts which prove him to have been highly criminal against his companions as well as his country. Howel, in his letters, says, that there lived in London, in 1645, an officer, a man of honour, who asserted, that he heard young Raleigh speak these words, vol. ii. letter 63. That was a time when there was no interest in maintaining such a fact. 17. Raleigh's account of his first voyage to Guiana proves him to have been a man capable of the most extravagant credulity or most impudent imposture. So ridiculous are the stories which he tells of the Inca's chimerical empire in the midst of Guiana; the rich city of El Dorado, or Manao, two days' journey in length, and shining with gold and silver; the old Peruvian prophecies in favour of the English, who, he says, were expressly named as the deliverers of that country, long before any European had ever touched there; the Amazons, or republic of women; and in general, the vast and incredible riches which he saw on that continent, where nobody has yet found any treasures! This whole narrative is a proof that he was extremely defective either in solid understanding, or morals, or both. No man's character indeed seems ever to have been carried to such extremes as Raleigh's, by the opposite passions of envy and pity. In the former part of his life, when he was active and lived in the world, and was probably best known, he was the object of universal hatred and detestation throughout England; and the latter part, when shut up in prison, he

became, much more unreasonably, the object of great love and admiration.

As to the circumstances of the narrative, that Raleigh's pardon was refused him, that his former sentence was purposely kept in force against him, and that he went out under these express conditions, they may be supported by the following authorities.—1. The king's word and that of six privy councillors, who affirm it for fact. 2. The nature of the thing. If no suspicion had been entertained of his intentions, a pardon would never have been refused to a man to whom authority was intrusted. 3. The words of the commission itself, where he is simply styled sir Walter Raleigh, and not *faithful and well beloved*, according to the usual and never-failing style on such occasions. 4. In all the letters which he wrote home to sir Ralph Winwood and to his own wife, he always considers himself as a person unpardoned and liable to the law. He seems indeed, immediately upon the failure of his enterprise, to have become desperate, and to have expected the fate which he met with.

It is pretended, that the king gave intelligence to the Spaniards of Raleigh's project; as if he had needed to lay a plot for destroying a man, whose life had been fourteen years, and still was, in his power. The Spaniards wanted no other intelligence to be on their guard, than the known and public fact of Raleigh's armament. And there was no reason why the king should conceal from them the project of a settlement which Raleigh pretended, and the king believed, to be entirely innocent.

The king's chief blame seems to have lain in his negligence, in allowing Raleigh to depart without a more exact scrutiny: but for this he apologizes by saying, that sureties were required for the good behaviour of Raleigh and all his associates in the enterprise, but that they gave in bonds for each other—a cheat which was not perceived till they had sailed, and which increased the suspicion of bad intentions.

Perhaps the king ought also to have granted Raleigh a pardon for his old treason, and to have tried him anew for his new offences. His punishment in that case would not only have been just, but conducted in a just and unexceptionable manner. But we are told that a ridiculous opinion at that time prevailed in the nation, (and it is plainly supposed by sir Walter in his apology,) that, by treaty, war was allowed with the Spaniards in the Indies, though peace was made in Europe: and while that notion took place, no jury would have found Raleigh guilty. So that had not the king punished him upon the old sentence, the Spaniards would have had a just cause of complaint against the king sufficient to have produced a war, at least to have destroyed all cordiality between the nations.

This explication I thought necessary, in

order to clear up the story of Raleigh; which, though very obvious, is generally mistaken in so gross a manner, that I scarcely know its parallel in the English history.

Note LL, p. 156.

THIS parliament is remarkable for being the epoch, in which were first regularly formed, though without acquiring these denominations, the parties of court and country; parties which have ever since continued, and which, while they oft threaten the total dissolution of the government, are the real causes of its permanent life and vigour. In the ancient feudal constitution, of which the English partook with other European nations, there was a mixture, not of authority and liberty, which we have since enjoyed in this island, and which now subsist uniformly together; but of authority and anarchy, which perpetually shocked with each other, and which took place alternately, according as circumstances were more or less favourable to either of them. A parliament composed of barbarians, summoned from their fields and forests, uninstructed by study, conversation, or travel; ignorant of their own laws and history, and unacquainted with the situation of all foreign nations; a parliament called precariously by the king, and dissolved at his pleasure; sitting a few days, debating a few points prepared for them, and whose members were impatient to return to their own castles, where alone they were great, and to the chase, which was their favourite amusement: such a parliament was very little fitted to enter into a discussion of all the questions of government, and to share, in a regular manner, the legal administration. The name, the authority of the king alone appeared in the common course of government; in extraordinary emergencies, he assumed, with still better reason, the sole direction; the imperfect and unformed laws left, in every thing, a latitude of interpretation; and when the ends pursued by the monarch were, in general, agreeable to his subjects, little scruple or jealousy was entertained with regard to the regularity of the means. During the reign of an able, fortunate, or popular prince, no member of either house, much less of the lower, durst think of entering into a formed party, in opposition to the court; since the dissolution of the parliament must, in a few days, leave him unprotected, to the vengeance of his sovereign, and to those stretches of prerogative, which were then so easily made, in order to punish an obnoxious subject. During an unpopular and weak reign, the current commonly ran so strong against the monarch, that none durst enlist themselves in the court party; or if the prince was able to engage any considerable barons on his side, the question

was decided with arms in the field, not by debates or arguments in a senate or assembly. And upon the whole, the chief circumstance, which, during ancient times, retained the prince in any legal form of administration, was, that the sword, by the nature of the feudal tenures, remained still in the hands of his subjects; and this irregular and dangerous check had much more influence than the regular and methodical limits of the laws and constitution. As the nation could not be compelled, it was necessary that every public measure of consequence, particularly that of levying new taxes, should seem to be adopted by common consent and approbation.

The princes of the house of Tudor, partly by the vigour of their administration, partly by the concurrence of favourable circumstances, had been able to establish a more regular system of government; but they drew the constitution so near to despotism as diminished extremely the authority of the parliament. The senate became, in a great degree, the organ of royal will and pleasure: opposition would have been regarded as a species of rebellion: and even religion, the most dangerous article in which innovations could be introduced, had admitted, in the course of a few years, four several alterations, from the authority alone of the sovereign. The parliament was not then the road to honour and preferment: the talents of popular intrigue and eloquence were uncultivated and unknown: and though that assembly still preserved authority, and retained the privilege of making laws and bestowing public money, the members acquired not, upon that account, either with prince or people, much more weight and consideration. What powers were necessary for conducting the machine of government, the king was accustomed, of himself, to assume. His own revenues supplied him with money sufficient for his ordinary expences. And when extraordinary emergencies occurred, the prince needed not to solicit votes in parliament, either for making laws or imposing taxes, both of which were now become requisite for public interest and preservation.

The security of individuals, so necessary to the liberty of popular councils, was totally unknown in that age. And as no despotic princes, scarcely even the eastern tyrants, rule entirely without the concurrence of some assemblies, which supply both advice and authority; little but a mercenary force seems then to have been wanting towards the establishment of a simple monarchy in England. The militia, though more favourable to regal authority than the feudal institutions, was much inferior, in this respect, to disciplined armies; and if it did not preserve liberty to the people, it preserved at least the power, if ever the inclination should arise, of recovering it.

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But so low, at that time, ran the inclination towards liberty, that Elizabeth, the last of that arbitrary line, herself no less arbitrary, was yet the most renowned and most popular of all the sovereigns that had filled the throne of England. It was natural for James to take the government as he found it, and to pursue her measures, which he heard so much applauded; nor did his penetration extend so far as to discover, that neither his circumstances nor his character could support so extensive an authority. His narrow revenues and little frugality began now to render him dependent on his people, even in the ordinary course of administration: their increasing knowledge discovered to them that advantage which they had obtained; and made them sensible of the inestimable value of civil liberty. And as he possessed too little dignity to command respect, and too much good nature to impress fear, a new spirit discovered itself every day in the parliament; and a party, watchful of a free constitution, was regularly formed in the house of commons.

But notwithstanding these advantages acquired to liberty, so extensive was royal authority, and so firmly established in all its parts, that it is probable the patriots of that age would have despaired of ever resisting it, had they not been stimulated by religious motives, which inspire a courage unsurmountable by any human obstacle.

The same alliance which has ever prevailed between kingly power and ecclesiastical authority, was now fully established in England; and while the prince assisted the clergy in suppressing schisms and innovators, the clergy, in return, inculcated the doctrine of an unserved submision and obedience to the civil magistrate. The genius of the church of England, so kindly to monarchy, forwarded the confederacy; its submission to episcopal jurisdiction; its attachment to ceremonies, to order, and to a decent pomp and splendour of worship: and, in a word, its affinity to the tame superstition of the catholics, rather than to the wild fanaticism of the puritans.

On the other hand, opposition to the church, and the persecutions under which they laboured, were sufficient to throw the puritans into the country party, and to beget political principles little favourable to the high pretensions of the sovereign. The spirit too of enthusiasm; bold, daring, and uncontrolled; strongly disposed their minds to adopt republican tenets; and inclined them to arrogate, in their actions and conduct, the same liberty which they assumed in their rapturous flights and ecstasies. Ever since the first origin of that sect, through the whole reign of Elizabeth as well as of James, puritanical principles had been understood in a double sense, and expressed the opinions favourable both to political and to ecclesiastical

liberty. And as the court, in order to discredit all parliamentary opposition, affixed the denomination of puritans to its antagonists; the religious puritans willingly adopted this idea, which was so advantageous to them, and which confounded their cause with that of the patriots or country party. Thus were the civil and ecclesiastical factions regularly formed; and the humour of the nation during that age running strongly towards fanatical extravagancies, the spirit of civil liberty gradually revived from its lethargy, and by means of its religious associate, from which it reaped more advantage than honour, it secretly enlarged its dominion over the greater part of the kingdom.

[This Note was in the first editions a part of the text; but the author omitted it, in order to avoid, as much as possible, the style of dissertation to the body of his history. The passage, however, contains views so important, that he thought it might be admitted as a note.]

Note MM, p. 159.

This protestation is so remarkable, that it may not be improper to give it in its own words. "The commons now assembled in parliament, being justly occasioned thereunto, concerning sundry liberties, franchises, and privileges of parliament, amongst others here mentioned, do make this protestation following: that the liberties, franchises, and jurisdictions of parliament are the ancient and undoubted birth-right and inheritance of the subjects of England; and that the urgent and arduous affairs concerning the king, state, and defence of the realm, and of the church of England; and the maintenance and making of laws, and redress of mischiefs and grievances, which daily happen within this realm, are proper subjects and matter of council and debate in parliament; and that in the handling and proceeding of those businesses, every member of the house of parliament hath, and of right ought to have, freedom of speech to propound, treat, reason, and bring to conclusion the same; and that the commons in parliament have like liberty and freedom to treat of these matters, in such order as in their judgment shall seem fittest; and that every member of the said house hath like freedom from all impeachment, imprisonment, and molestation (other than by censure of the house itself) for or concerning any speaking, reasoning, or declaring of any matter or matters touching the parliament or parliament business. And that if any of the said members be complained of and questioned for any thing done or said in parliament, the same is to be shown to the king by the advice and assent of all the commons assembled in parliament, before the king give credence to any private inform-

ation." Franklyn, p. 65. Rushworth, vol. i. p. 53. Kennet, p. 747. Coke, p. 77.

Note NN, p. 168.

THE moment the prince embarked at St. Andero's, he said, to those about him, that it was folly in the Spaniards to use him so ill, and allow him to depart: a proof that the duke had made him believe they were sincere in the affair of the marriage and the Palatinate; for as to his reception, in other respects, it had been altogether unexceptionable. Besides, had not the prince believed the Spaniards to be insincere, he had no reason to quarrel with them, though Buckingham had. It appears, therefore, that Charles himself must have been deceived. The multiplied delays of the dispensation, though they arose from accident, afforded Buckingham a plausible pretext for charging the Spaniards with insincerity.

Note OO, p. 169.

AMONG other particulars, he mentions a sum of eighty thousand pounds borrowed from the king of Denmark. In a former speech to the parliament, he told them, that he had expended five hundred thousand pounds in the cause of the palatine, besides the voluntary contribution given him by the people. See Franklyn, p. 50.—But what is more extraordinary, the treasurer, in order to show his own good services, boasts to the parliament, that, by his contrivance, sixty thousand pounds had been saved in the article of exchange in the sums remitted to the palatine. This seems a great sum, nor is it easy to conceive whence the king could procure such vast sums as would require a sum so considerable to be paid in exchange. From the whole, however, it appears, that the king had been far from neglecting the interests of his daughter and son-in-law, and had even gone far beyond what his narrow revenue could afford.

Note PP, ibid.

How little this principle had prevailed, during any former period of the English government, particularly during the last reign, which was certainly not so perfect a model of liberty as most writers would represent it, will easily appear from many passages in the history of that reign. But the ideas of men were much changed, during about twenty years of a gentle and peaceful administration. The commons, though James of himself had recalled all patents of monopolies, were not contented without a law against them, and a declaratory law too; which was gaining a great point, and establishing principles very favourable to liberty: but they were extremely grateful

when Elizabeth, upon petition (after having once refused their requests), recalled a few of the most oppressive patents: and employed some soothing expressions towards them.

The parliament had surely reason, when they confessed, in the seventh of James, that he allowed them more freedom of debate than ever was indulged by any of his predecessors. His indulgence in this particular, joined to his easy temper, was probably one cause of the great power assumed by the commons. Monsieur de la Boderie, in his *Dispatches*, vol. i. p. 449, mentions the liberty of speech in the house of commons as a new practice.

Note QQ, p. 171.

RYMER, tom. xviii. p. 224. It is certain that the young prince of Wales, afterwards Charles II. had protestant governors from his early infancy; first the earl of Newcastle, then the marquis of Hertford. The king, in his memorial to foreign churches, after the commencement of the civil wars, insists on his care in educating his children in the protestant religion, as a proof that he was nowise inclined to the catholic. Rushworth, vol. v. p. 752.—It can scarcely, therefore, be questioned, but this article, which had so odd an appearance, was inserted only to amuse the pope, and was never intended by either party to be executed.

Note RR, p. 175.

"MONARCHIES," according to sir Walter Raleigh, "are of two sorts touching their power or authority, viz. 1. Entire, where the whole power of ordering all state matters, both in peace and war, doth by law and custom appertain to the prince, as in the English kingdom; where the prince hath the power to make laws, league, and war; to create magistrates; to pardon life; of appeal, &c. Though to give a contentment to the other degrees, they have a suffrage in making laws, yet ever subject to the prince's pleasure and negative will. —2. Limited or restrained, that hath no full power in all the points and matters of state, as the military king that hath not the sovereignty in time of peace, as the making of laws, &c. But in war only, as the Polonian king."—*Martins of State*.

And a little after, "In every just state, some part of the government is, or ought to be, imparted to the people, as in a kingdom, a voice and suffrage in making laws; and sometimes also of levying of arms (if the charge be great, and the prince forced to borrow help of his subjects), the matter rightly may be propounded to a parliament, that the tax may seem to have proceeded from themselves. So consultations and some proceedings in judicial matters may, in part, be referred

to them. The reason, lest, seeing themselves to be in no number nor of reckoning, they mislike the state of government." This way of reasoning differs little from that of king James, who considered the privileges of the parliament as matters of grace and indulgence more than of inheritance. It is remarkable that Raleigh was thought to lean towards the puritanical party, notwithstanding these positions. But ideas of government change much in different times.

Raleigh's sentiments on this head are still more openly expressed, in his *Prerogative of Parliaments*, a work not published till after his death. It is a dialogue between a courtier or counsellor and a country justice of peace, who represents the patriot party, and defends the highest notions of liberty, which the principles of the would bear. Here passage of it: Counsellor. That which done by the king, with the advice of his private or privy council, is done by the king's absolute power. Justice. And by whose power is it done in parliament, but by the king's absolute power? Mistake it not, my lord: the three estates do but advise as the privy council doth; which advice, if the king embrace, it becomes the king's own act in the one, and the king's law in the other, &c."

The earl of Clare, in a private letter to his son-in-law sir Thomas Wentworth, afterwards earl of Strafford, thus expresses himself: "We live under a prerogative government, where book-law submits to *lex loquens*." He spoke from his own and all his ancestors' experience. There was no single instance of power which a king of England might not, at that time, exert on pretence of necessity or expediency: the continuance alone or frequent repetition of arbitrary administration might prove dangerous, for want of force to support it. It is remarkable that this letter of the earl of Clare was written in the first year of Charles's reign; and consequently must be meant of the general genius of the government, not the spirit or temper of the monarch. See Strafford's Letters, vol. i. p. 32. From another letter in the same collection, vol. i. p. 10, it appears, that the council sometimes assumed the power of forbidding persons disagreeable to the court, to stand in the elections. This authority they could exert in some instances; but we are not thence to infer, that they could shut the door of that house to every one who was not acceptable to them. The genius of the ancient government reposed more trust in the king, than to entertain any such suspicion, and it all scattered instances, of such a kind as would have been totally destructive of the constitution, had they been continued without interruption.

I have not met with any English writer in that age who speaks of England as a limited

monarchy, but as an absolute one, where the people have many privileges. That is no contradiction. In all European monarchies the people have privileges; but whether dependent or independent on the will of the monarch, is a question, that, in most governments, it is better to forbear. Surely that question was not determined before the age of James. The rising spirit of the parliament, together with that king's love of general, speculative principles, brought it from its obscurity, and made it be commonly canvassed. The strongest testimony that I remember from a writer of James's age, in favour of English liberty, is in cardinal Bentivoglio, a foreigner, who mentions the English government as similar to that of the Low-country provinces under their princes, rather than to that of France or Spain. Englishmen were not so sensible that their prince was limited, because they were sensible that no individual had any security against a stretch of prerogative: but foreigners, by comparison, could perceive that these stretches were at that time, from custom or other causes, less frequent in England than in other monarchies. Philip de Comines too remarked the English constitution to be more popular in his *fiat* than that of France. But in a paper written by a patriot in 1627, it is remarked, that the freedom of speech in parliament had been lost in England since the days of Comines. See Franklyn, p. 236. Here is a stanza of Malherbe's Ode to Mary de Medicis, the queen-regent, written in 1614.

Entre les rois à qui cet age
Doit son principal ornement,
Ceux de la Tamise et du Tage
Font louer leur gouvernement:
Mais en de si calmes provinces,
On la peuple adore les princes,
Et met au gré le plus haut
L'honneur du sceptre legitime,
Scauroit-on excuser le crime
De ne regner pas comme il faut.

The English, as well as the Spaniards, are here pointed out as much more obedient subjects than the French, and much more tractable and submissive to their princes. Though this passage be taken from a poet, every man of judgment will allow its authority to be decisive. The character of a national government cannot be unknown in Europe; though it changes sometimes very suddenly. Machiavel, in his *Dissertations* on Livy, says repeatedly, that France was the most legal and most popular monarchy then in Europe.

Note SS, p. 175.

PASSIVE obedience is expressly and zealously inculcated in the homilies, composed and published by authority, in the reign of queen Elizabeth. The convocation, which met in the very first year of the king's reign, voted

as high monarchical principles as are contained in the decrees of the university of Oxford, during the rule of the tories. These principles, so far from being deemed a novelty, introduced by James's influence, passed so smoothly, that no historian has taken notice of them: they were never the subject of controversy, or dispute, or discourse; and it is only by means of bishop Overall's Convocation-book, printed near seventy years after, that we are acquainted with them. Would James, who was so cautious, and even timid, have ventured to begin his reign with a bold stroke, which would have given just ground of jealousy to his subjects? It appears from that monarch's Basilicon Doron, written while he was in Scotland, that the republican ideas of the origin of power from the people were, at that time, esteemed puritanical novelties. The patriarchal scheme, it is remarkable, is inculcated in those votes of the convocation preserved by Overall; nor was Filmer the first inventor of those absurd notions.

Note TT, p. 181.

THAT of the honest historian Stowe seems not to have been of this number. "The great blessings of God," says he, "through increase of wealth in the common subjects of this land, especially upon the citizens of London; such within men's memory, and chiefly within these few years of peace, that, except there were now due mention of some sort made thereof, it would in time to come be held incredible, &c." In another place, "Amongst the manifold tokens and signs of the infinite blessings of Almighty God bestowed upon this kingdom, by the wondrous and merciful establishing of peace within ourselves, and the full benefit of concord with all Christian nations and others of all which graces let no man dare to presume he can speak too much; whereof in truth there can never be enough said, neither was there ever any people less considerate and less thankful than at this time, being not willing to endure the memory of their present happiness, as well as in the universal increase of commerce and traffic throughout the kingdom, great building of royal ships and by private merchants, the re-peopling of cities, towns, and villages, besides the discernible and sudden increase of fair and costly buildings, as well within the city of London as the suburbs thereof, especially within these twelve years, &c."

Note UU, p. 194.

By a speech of sir Simon D'Ewes, in the first year of the long parliament, it clearly appears, that the nation never had, even to that time, been rightly informed concerning the transactions of the Spanish negotiation, and still believed the court of Madrid to have been

altogether insincere in their professions. What reason, upon that supposition, had they to blame either the prince or Buckingham for their conduct, or for the narrative delivered to the parliament? This is a capital fact, and ought to be well attended to. D'Ewes's speech is in Nalson, vol. ii. p. 368. No author or historian of that age mentions the discovery of Buckingham's impostures as a cause of disgust in the parliament. Whitlocke, p. 1, only says, that the commons began to suspect, *that it had been spleen in Buckingham, not zeal for public good, which had induced him to break the Spanish match*; a clear proof that his falsehood was not suspected. Wilson, p. 780, says, that Buckingham lost his popularity after Bristol arrived, not because that nobleman discovered to the world the falsehood of his narrative, but because he proved that Buckingham, while in Spain, had professed himself a papist; which is false, and which was never said by Bristol. In all the debates which remain, not the least hint is ever given that any falsehood was suspected in the narrative. I shall farther add, that even if the parliament had discovered the deceit in Buckingham's narrative, this ought not to have altered their political measures, or made them refuse supply to the king. They had supposed it practicable to wrest the Palatinate by arms from the house of Austria; they had represented it as prudent to expend the blood and treasure of the nation in such an enterprise; they had believed that the king of Spain never had any sincere intention of restoring that principality. It is certain, that he had not now any such intention: and though there was reason to suspect, that this alteration in his views had proceeded from the ill conduct of Buckingham, yet past errors could not be retrieved; and the nation was undoubtedly in the same situation which the parliament had ever supposed, when they so much harassed their sovereign, by their impatient, importunate, and even undutiful solicitations. To which we may add, that Charles himself was certainly deceived by Buckingham, when he corroborated his favourite's narrative by his testimony. Party historians are somewhat inconsistent in their representations of these transactions: they represent the Spaniards as totally insincere, that they may reproach James with credulity in being so long deceived by them: they represent them as sincere, that they may reproach the king, the prince, and the duke, with falsehood in their narrative to the parliament. The truth is, they were insincere at first; but the reasons, proceeding from bigotry, were not suspected by James, and were at last overcome. They became sincere; but the prince, deceived by the many unavoidable causes of delay, believed that they were still deceiving him.

Note XX, p. 207.

This petition is of so great importance, that we shall here give it at length. Humbly show unto our sovereign lord the king, the lords spiritual and temporal, and commons, in parliament assembled, That, whereas it is declared and enacted by a statute made in the time of the reign of king Edward I. commonly called *Statutum de tallagio non concedendo*, that no tallage or aid shall be levied by the king or his heirs in this realm, without the good-will and assent of the archbishops, bishops, earls, barons, knights, burgesses, and other the freemen of the commonalty of this realm: and, by authority of parliament, holden in the five and twentieth year of the reign of king Edward III. it is declared and enacted, That, from thenceforth, no person shall be compelled to make any loans to the king against his will, because such loans were against reason, and the franchise of the land: and, by other laws of this realm, it is provided, that none should be charged by any charge or imposition called a benevolence, or by such like charge: by which the statutes before-mentioned, and other the good laws and statutes of this realm, your subjects have inherited this freedom, that they should not be compelled to contribute to any tax, tallage, aid, or other like charge, not set by common consent in parliament.

II. Yet nevertheless, of late divers commissions directed to sundry commissioners in several counties, with instructions, have issued by means whereof your people have been in divers places assembled, and required to lend certain sums of money unto your majesty, and many of them, upon their refusal so to do, have had an oath administered unto them not warrantable by the laws or statutes of this realm, and have been constrained to become bound to make appearance and give attendance before your privy-council, and in other places; and others of them have been therefore imprisoned, confined, and sundry other ways molested and disquieted: and divers other charges have been laid and levied upon your people, in several counties, by lord-lieutenants, deputy-lieutenants, commissioners for musters, justices of peace, and others, by command or direction from your majesty, or your privy-council, against the laws and free customs of this realm.

III. And whereas also, by the statute called *The great charter of the liberties of England*, it is declared and enacted, That no freeman may be taken or imprisoned, or be disseised of his freehold or liberties, or his free customs, or be outlawed or exiled, or in any manner destroyed, but by the lawful judgment of his peers, or by the law of the land.

IV. And, in the eight and twentieth year

of the reign of king Edward III. it was declared and enacted, by authority of parliament, That no man, of what estate or condition that he be, should be put out of his land or tenements, nor taken, nor imprisoned, nor disherited, nor put to death, without being brought to answer by due process of law.

V. Nevertheless, against the tenor of the said statutes, and other the good laws and statutes of your realm to that end provided, divers of your subjects have of late been imprisoned without any cause showed; and, when, for their deliverance, they were brought before justice, by your majesty's writs of *Habeas Corpus*, there to undergo, and receive as the court should order, and their keepers commanded to certify the causes of their detainer, no cause was certified, but that they were detained by your majesty's special command, signified by the lords of your privy-council, and yet were returned back to several prisons, without being charged with any thing to which they might make answer according to the law.

VI. And whereas of late great companies of soldiers and mariners have been dispersed into divers counties of the realm, and the inhabitants, against their wills, have been compelled to receive them into their houses, and there to suffer them to sojourn, against the laws and customs of this realm, and to the great grievance and vexation of the people.

VII. And whereas also, by authority of parliament, in the five and twentieth year of the reign of king Edward III. it is declared and enacted, That no man shall be forejudged of life or limb against the form of the *Great charter* and law of the land: and, by the said *Great charter*, and other the laws and statutes of this your realm, no man ought to be judged to death but by the laws established in this your realm, either by the customs of the same realm, or by acts of parliament: and whereas no offender, of what kind soever, is exempted from the proceedings to be used, and punishments to be inflicted by the laws and statutes of this your realm: nevertheless, of late divers commissions, under your majesty's great seal, have issued forth, by which certain persons have been assigned and appointed commissioners, with power and authority to proceed within the land, according to the justice of martial law, against such soldiers and mariners, or other dissolute persons joining with them, as should commit any murder, robbery, felony, mutiny, or other outrage or misdemeanour whatsoever, and by such summary way and order as is agreeable to martial law, and as is used in armies in time of war, to proceed to the trial and condemnation of such offenders, and them to cause to be executed and put to death according to the law martial.

VIII. By pretext whereof some of your majesty's subjects have been by some of the said

commissioners put to death, when and where, if, by the laws and statutes of the land, they had deserved death, by the same laws and statutes also they might, and by no other ought, to have been judged and executed.

IX. And also sundry grievous offenders, by colour thereof claiming an exemption, have escaped the punishments due to them by the laws and statutes of this your realm, by reason that divers of your officers and ministers of justice have unjustly refused or forborne to proceed against such offenders according to the same laws and statutes, upon pretence that the said offenders were punishable only by martial law, and by authority of such commissions as aforesaid: which commissions, and all other of like nature, are wholly and directly contrary to the said laws and statutes of this your realm.

X. They do therefore humbly pray your most excellent majesty, That no man hereafter be compelled to make or yield any gift, loan, benevolence, tax, or such like charge, without common consent, by act of parliament: and that none be called to make answer, or take such oath, or to give attendance, or be confined, or otherwise molested or disquieted, concerning the same, or for refusal thereof: and that no freeman, in any such manner as is before mentioned, be imprisoned or detained: and that your majesty would be pleased to remove the said soldiers and mariners, and that people may not be so burthened in time to come; and that the aforesaid commissions, for proceeding by martial law, may be revoked and annulled: and that hereafter no commissions of like nature may issue forth, to any person or persons whatsoever, to be executed as aforesaid, lest, by colour of them, any of your majesty's subjects be destroyed, or put to death, contrary to the laws and franchise of the land.

XI. All which they most humbly pray of your most excellent majesty, as their rights and liberties, according to the laws and statutes of this realm: and that your majesty would also vouchsafe to declare, That the awards, doings, and proceedings to the prejudice of your people, in any of the premises, shall not be drawn hereafter into consequence or example: and that your majesty would be also graciously pleased, for the further comfort and safety of your people, to declare your royal will and pleasure, that in the things aforesaid, all your officers and ministers shall serve you according to the laws and statutes of this realm, as they tender the honour of your majesty, and the prosperity of this kingdom. *Stat. 17 Car. cap. 14.*

Note YY, p. 211.

THE reason assigned by sir Philip Warwick, p. 2, for this unusual measure of the commons,

is, that they intended to deprive the crown of the prerogative, which it had assumed, of varying the rates of the impositions, and at the same time were resolved to cut off the new rates fixed by James. These were considerable diminutions both of revenue and prerogative; and whether they would have there stopped, considering their present disposition, may be much doubted. The king, it seems, and the lords, were resolved not to trust them; nor to render a revenue once precarious, which perhaps they might never afterwards be able to get re-established on the old footing.

Note ZZ, p. 224.

HERE is a passage of sir John Davis's Question, concerning Impositions, p. 131. "This power of laying on arbitrarily new impositions being a prerogative in point of government, as well as in point of profit, it cannot be restrained or bound by act of parliament; it cannot be limited by any certain or fixt rule of law, no more than the course of a pilot upon the sea, who must turn the helm, or bear higher or lower sail, according to the wind or weather; and therefore it may be properly said, that the king's prerogative in this point, is as strong as *Samson*: it cannot be bound: for though an act of parliament be made to restrain it, and the king doth give his consent unto it, as *Samson* was bound with his own consent, yet if the *Philistines* come; that is, if any just or important occasion do arise, it cannot hold or restrain the prerogative; it will be as thread, and broken as easy as the bonds of *Samson*.—The king's prerogatives are the sun-beams of the crown, and as inseparable from it as the sun-beams from the sun: the king's crown must be taken from him; *Samson's* hair must be cut out, before his courage can be any jot abated. Hence it is that neither the king's act, nor any act of parliament, can give away his prerogative."

Note (A), p. 242.

WE shall here make use of the liberty, allowed in a note, to expatiate a little on the present subject. It must be confessed that the king, in this declaration, touched upon that circumstance in the English constitution, which it is most difficult, or rather altogether impossible, to regulate by laws, and which must be governed by certain delicate ideas of propriety and decency, rather than by any exact rule or prescription. To deny the parliament all right of remonstrating against what they esteem grievances, were to reduce that assembly to a total insignificance, and to deprive the people of every advantage, which they could reap from popular councils. To complain of the parliament's employing the

power of taxation, as the means of extorting concessions from their sovereign, were to expect, that they would entirely disarm themselves, and renounce the sole expedient, provided by the constitution, for ensuring to the kingdom a just and legal administration. In different periods of English story, there occur instances of their remonstrating with their princes in the freest manner, and sometimes of their refusing supply, when disgusted with any circumstance of public conduct. It is, however, certain, that this power, though essential to parliaments, may easily be abused, as well by the frequency and minuteness of their remonstrances, as by their intrusion into every part of the king's counsels and determinations. Under colour of advice, they may give disguised orders; and in complaining of grievances, they may draw to themselves every power of government. Whatever measure is embraced, without consulting them, may be pronounced an oppression of the people; and, till corrected, they may refuse the most necessary supplies to their indigent sovereign. From the very nature of this parliamentary liberty, it is evident, that it must be left unbounded by law: for who can foretel how frequently grievances may occur, or what part of administration may be affected by them? From the nature too of the human frame, it may be expected, that this liberty would be exerted in its full extent, and no branch of authority be allowed to remain unmolested in the hands of the prince. For will the weak limitations of respect and decorum be sufficient to restrain human ambition, which so frequently breaks through all the prescriptions of law and justice?

But here it is observable, that the wisdom of the English constitution, or rather the concurrence of accidents, has provided, in different periods, certain irregular checks to this privilege of parliament, and thereby maintained, in some tolerable measure, the dignity and authority of the crown.

In the ancient constitution, before the beginning of the seventeenth century, the meetings of parliament were precarious, and were not frequent. The sessions were short; and the members had no leisure, either to get acquainted with each other, or with public business. The ignorance of the age made men more submissive to that authority which governed them. And above all, the large demesnes of the crown, with the small expence of government during that period, rendered the prince almost independent, and taught the parliament to preserve great submission and duty towards him.

In our present constitution, many accidents, which have rendered governments every where, as well as in Great Britain, much more burdensome than formerly, have thrown into the hands of the crown the disposal of a large

revenue, and have enabled the king, by the private interests and ambition of the members, to restrain the public interest and ambition of the body. While the opposition (for we must still have an opposition, open or disguised) endeavours to draw every branch of administration under the cognizance of parliament, the courtiers reserve a part to the disposal of the crown; and the royal prerogative, though deprived of its ancient powers, still maintains a due weight in the balance of the constitution.

It was the fate of the house of Stuart to govern England at a period, when the former source of authority was already much diminished, and before the latter began to flow in any tolerable abundance. Without a regular and fixed foundation, the throne perpetually tottered; and the prince sat upon it anxiously and precariously. Every expedient used by James and Charles in order to support their dignity, we have seen attended with sensible inconveniencies. The majesty of the crown, derived from ancient powers and prerogatives, procured respect, and checked the approaches of insolent intruders: but it begat in the king so high an idea of his own rank and station, as made him incapable of stooping to popular wishes, or submitting in any degree to the control of parliament. The alliance with the hierarchy strengthened law by the sanction of religion: but it enraged the puritanical party, and exposed the prince to the attacks of enemies, numerous, violent, and implacable. The memory too of these two kings, from like causes, has been attended, in some degree, with the same infelicity, which pursued them during the whole course of their lives. Though it must be confessed, that their skill in government was not proportioned to the extreme delicacy of their situation; a sufficient indulgence has not been given them, and all the blame, by several historians, has been unjustly thrown on their side. Their violations of law, particularly those of Charles, are, in some few instances, transgressions of a plain limit, which was marked out to royal authority. But the encroachments of the commons, though in the beginning less positive and determinate, are no less discernible by good judges, and were equally capable of destroying the just balance of the constitution. While they exercised the powers transmitted to them, in a manner more independent, and less compliant, than had ever before been practised; the kings were, perhaps imprudently, but, as they imagined, from necessity, tempted to assume powers, which had ~~scarcely~~ ever been exercised, or had been exercised in a different manner by the crown. And from the shock of these opposite pretensions, together with religious controversy, arose all the factions, convulsions, and disorders, which attended that period.—[*This Note was, in the first editions, a part of the text.*]

Note (B), p. 262.

MR. CARTE, in his life of the duke of Ormond, has given us some evidence to prove, that this letter was entirely a forgery of the popular leaders, in order to induce the king to sacrifice Strafford. He tells us, that Strafford said so to his son the night before his execution. But there are some reasons why I adhere to the common way of telling this story. 1. The account of the forgery comes through several hands, and from men of characters not fully known to the public. A circumstance which weakens every evidence. It is a hearsay of a hearsay. 2. It seems impossible, but young lord Strafford must inform the king, who would not have failed to trace the forgery, and expose his enemies to their merited infamy. 3. It is not to be conceived but Clarendon and Whitlocke, not to mention others, must have heard of the matter. 4. Sir George Ratcliffe, in his life of Strafford, tells the story the same way that Clarendon and Whitlocke do. Would he also, who was Strafford's intimate friend, never have heard of the forgery? It is remarkable, that this life is dedicated or addressed to young Strafford. Would not he have put sir George right in so material and interesting a fact?

Note (C), ibid.

WHAT made this bill appear of less consequence was, that the parliament voted tonnage and poundage for no longer a period than two months: and as that branch was more than half of the revenue, and the government could not possibly subsist without it; it seemed indirectly in the power of the parliament to continue themselves as long as they pleased. This indeed was true in the ordinary administration of government: but on the approaches towards a civil war, which was not then foreseen, it had been of great consequence to the king to have reserved the right of dissolution, and to have endured any extremity, rather than allow the continuance of the parliament.

Note (D), p. 273.

It is now so universally allowed, notwithstanding some muttering to the contrary, that the king had no hand in the Irish rebellion, that it will be superfluous to insist on a point which seems so clear. I shall only suggest a very few arguments, among an infinite number which occur. 1. Ought the affirmation of perfidious, infamous rebels ever to have passed for any authority? 2. Nobody can tell us what the words of the pretended commission were. That commission which we find in Rushworth, vol. v. p. 400, and in Milton's Works, Toland's edition, is plainly an imposture; because it pretends to be dated in October 1641, yet

mentions facts which happened not till some months after. It appears that the Irish rebels, observing some inconsistency in their first forgery, were obliged to forge this commission anew, yet could not render it coherent or probable. 3. Nothing could be more obviously pernicious to the king's cause than the Irish rebellion; because it increased his necessities, and rendered him still more dependent on the parliament, who had before sufficiently shown on what terms they would assist him. 4. The instant the king heard of the rebellion, which was a very few days after its commencement, he wrote to the parliament, and gave over to them the management of the war. Had he built any projects on that rebellion, would he not have waited some little time to see how they would succeed? Would he presently have adopted a measure which was evidently so hurtful to his authority? 5. What can be imagined to be the king's projects? To raise the Irish to arms, I suppose, and bring them over to England for his assistance. But, is it not plain, that the king never intended to raise war in England? Had that been his intention, would he have rendered the parliament perpetual? Does it not appear, by the whole train of events, that the parliament forced him into the war? 6. The king conveyed to the justices intelligence which ought to have prevented the rebellion. 7. The Irish catholics, in all their future transactions with the king, where they endeavour to excuse their insurrection, never had the assurance to plead his commission. Even among themselves they dropped that pretext. It appears that sir Phelim O'Neale, chiefly, and he only at first, promoted that imposture. See Carte's Ormond, vol. iii. No 100. 111, 112. 114, 115. 121. 132. 137. 8. O'Neale himself confessed the imposture on his trial and at his execution. See Nelson, vol. ii. p. 528. Maguire, at his execution, made a like confession. 9. It is ridiculous to mention the justification which Charles II gave to the marquis of Antrim, as if he had acted by his father's commission. Antrim had no hand in the first rebellion and the massacre. He joined not the rebels till two years after: it was with the king's consent, and he did important service, in sending over a body of men to Montrose.

Note (E), p. 286.

THE great courage and conduct displayed by many of the popular leaders, have commonly inclined men to do them in one respect, more honour than they deserve, and to suppose, that, like able politicians, they employed pretences which they secretly despised, in order to serve their selfish purposes. It is however probable, if not certain, that they were, generally speaking, the dupes of their own zeal.

Hypocrisy, quite pure and free from fanaticism, is perhaps, except among men fixed in a determined philosophical scepticism, then unknown, as rare as fanaticism entirely purged from all mixture of hypocrisy. So congenial to the human mind are religious sentiments, that it is impossible to counterfeit long these holy fervours, without feeling some share of the assumed warmth: and on the other hand, so precarious and temporary, from the frailty of human nature, is the operation of these spiritual views, that the religious ecstasies, if constantly employed, must often be counterfeit, and must be warped by those more familiar motives of interest and ambition, which insensibly gain upon the mind. This indeed seems the key to most of the celebrated characters of that age. Equally full of fraud and of ardour, these pious patriots talked perpetually of seeking the Lord, yet still pursued their own purposes; and have left a memorable lesson to posterity, how delusive, how destructive, that principle is by which they were actuated.

With regard to the people, we can entertain no doubt that the controversy was, on their part, entirely theological. The generality of the nation could never have flown out into such fury in order to obtain new privileges and acquire greater liberty than they and their ancestors had ever been acquainted with. Their fathers had been entirely satisfied with the government of Elizabeth: why should they have been thrown into such extreme rage against Charles, who, from the beginning of his reign, wished only to maintain such a government? And why not, at least, compound matters with him, when by all his laws, it appeared that he had agreed to depart from it? Especially, as he had put it entirely out of his power to retract that resolution. It is in vain, therefore, to dignify this civil war and the parliamentary authors of it, by supposing it to have any other considerable foundation than theological zeal, that great and noted source of animosity among men. The royalists also were very commonly zealots; but as they were at the same time maintaining the established constitution, in state as well as church, they had an object which was natural, and which might produce the greatest passion, even without any considerable mixture of theological fervour.—[The former part of this note was, in the first editions, a part of the text.]

Note (F), ibid.

IN some of these declarations, supposed to be penned by lord Falkland, is found the first regular definition of the constitution, according to our present ideas of it, that occurs in any English composition; at least any published by authority. The three species of

government, monarchical, aristocratical, and democratical, are there plainly distinguished, and the English government is expressly said to be none of them pure, but all of them mixed and tempered together. This style, though the sense of it was implied in many institutions, no former king of England would have used, and no subject would have been permitted to use. Banks and the crown-lawyers against Hambden, in the case of ship-money, insinuate plainly and openly on the king's absolute and sovereign power: and the opposite lawyers do not deny it: they only assert, that the subjects have also a fundamental property in their goods, and that no part of them can be taken but by their own consent in parliament. But that the parliament was instituted to check and control the king, and share the supreme power, would, in all former times, have been esteemed very blunt and indiscreet, if not illegal, language. We need not be surprised that governments should long continue, though the boundaries of authority, in their several branches, be implicit, confused and undetermined. This is the case all over the world. Who can draw an exact line between the spiritual and temporal powers in catholic states? What code ascertained the precise authority of the Roman senate, in every occurrence? Perhaps the English is the first mixed government, where the authority of every part has been very accurately defined: and yet there still remain many very important questions between the two houses, that, by common consent, are buried in a discreet silence. The king's power is indeed more exactly limited: but this period, of which we now treat, is the time at which that accuracy commenced. And it appears from Warwick and Hobbes, that many royalists blamed this philosophical precision in the king's penman, and thought that the veil was very imprudently drawn off the mysteries of government. It is certain that liberty reaped mighty advantages from these controversies and inquiries; and the royal authority itself became more secure, within those provinces which were assigned to it.

[Since the first publication of this history, the sequel of lord Clarendon has been published: where that nobleman asserts, that he himself was the author of most of these remonstrances and memorials of the king.]

* Note (G), p. 295.

WHITLOCKE, who was one of the commissioners, says, p. 65: "In this treaty the king manifested his great parts and abilities, strength of reason and quickness of apprehension, with much patience in hearing what was objected against him; wherein he allowed all freedom, and would himself snare up the arguments, and give a most clear judgment upon

them. His unhappiness was, that he had a better opinion of others' judgments than of his own, though they were weaker than his own; and of this the parliament commissioners had experience to their great trouble. They were often waiting on the king, and debating some points of the treaty with him, until midnight, before they could come to a conclusion. Upon one of the most material points, they pressed his majesty with their reasons and best arguments they could use to grant what they desired. The king said, he was fully satisfied, and promised to give them his answer in writing according to their desire; but because it was then past midnight, and too late to put it into writing, he would have it drawn up next morning (when he commanded them to wait on him again), and then he would give them his answer in writing, as it was now agreed upon. But next morning the king told them, that he had altered his mind: and some of his friends, of whom the commissioners inquired, told them, that after they were gone, and even his council retired, some of his bedchamber never left pressing and persuading him till they prevailed on him to change his former resolutions."—It is difficult, however, to conceive, that any negotiation could have succeeded between the king and parliament while the latter insisted, as they did all along, on a total submission to all their demands; and challenged the whole power, which they professedly intended to employ, to the punishment of the king's friends.

Note (H), p. 299.

THE author is sensible that some blame may be thrown upon him, on account of this last clause, in Mr. Hambden's character: as if he were willing to entertain a suspicion of bad intentions, where the actions were praiseworthy. But the author's meaning is directly contrary: he esteems the last actions of Mr. Hambden's life to have been very blameable; though, as they were derived from good motives, only pushed to an extreme, there is room left to believe, that the intentions of that patriot, as well as of many of his party, were laudable. Had the preceding administration of the king, which we are apt to call arbitrary, proceeded from ambition, and an unjust desire of encroaching on the ancient liberties of the people, there would have been less reason for giving him any trust, or leaving in his hands a considerable share of that power which he had so much abused. But if his conduct was derived in a great measure from necessity, and from a natural desire of defending that prerogative which was transmitted to him from his ancestors, and which his parliaments were visibly encroaching on, there is no reason why he may not be esteemed a very virtuous

prince, and entirely worthy of trust from his people. The attempt, therefore, of totally annihilating monarchical power, was a very blameable extreme; especially as it was attended with the danger, to say the least, of a civil war, which besides the numberless ills inseparable from it, exposed liberty to much greater perils than it could have incurred under the now limited authority of the king. But as these points could not be supposed so clear during the time, as they are; or may be at present; there are great reasons of alleviation for men who were heated by the controversy, or engaged in the action. And it is remarkable, that even at present (such is the force of party prejudices) there are few people who have coolness enough to see these matters in a proper light, or are convinced that the parliament could prudently have stopped in their pretensions. They still plead the violations of liberty attempted by the king, after granting the petition of right; without considering the extreme harsh treatment which he met with, after making that great concession, and the impossibility of supporting government by the revenue then settled on the crown. The worst of it is, that there was a great tang of enthusiasm in the conduct of the parliamentary leaders, which, though it might render their conduct sincere, will not much enhance their character with posterity. And though Hamden was, perhaps, less infected with this spirit than many of his associates, he appears not to have been altogether free from it. His intended migration to America, where he could only propose the advantage of enjoying partial prayers and sermons, will be allowed a proof of the prevalence of this spirit in him.

Note (I), p. 304.

In a letter of the king to the queen, preserved in the British Museum, and published by Mrs. Macauley, vol. iv. p. 420, he says, that unless religion was preserved, the militia (being not as in France a formed powerful strength) would be of little use to the crown; and that if the pulpits had not obedience, which would never be, if presbyterian government was absolutely established, the king would have but small comfort of the militia. This reasoning shows the king's good sense, and proves that his attachment to episcopacy, though partly founded on religious principles, was also, in his situation, derived from the soundest views of civil policy. In reality, it was easy for the king to perceive, by the necessary connexion between trifles and important matters, and by the connexion maintained at that time between religion and politics, that when he was contending for the surplice, he was in effect fighting for his crown, and even for his head. Few

of the popular party could perceive this connexion: most of them were carried headlong by fanaticism; as might be expected in the ignorant multitude. Few even of the leaders seem to have had more enlarged views.

Note (K), p. 322.

THAT Laud's severity was not extreme appears from this fact, that he caused the acts or records of the high commission court to be searched, and found that there had been fewer suspensions, deprivations, and other punishments, by three, during the seven years of his time, than in any seven years of his predecessor Abbot; who was notwithstanding in great extrem with the house of commons. *Troubles and Trials of Laud*, p. 164.—But Abbot was little attached to the court, and was also a puritan in doctrine, and bore a mortal hatred to the papists: not to mention, that the mutinous spirit was rising higher in the time of Laud, and would less bear control. The maxims, however, of his administration were the same that had ever prevailed in England, and that had place in every other European nation, except Holland, which studied chiefly the interests of commerce, and France, which was fettered by edicts and treaties. To have changed them for the modern maxims of toleration, how reasonable soever, would have been deemed a very bold and dangerous enterprise. It is a principle advanced by president Montesquieu, that, where the magistrate is satisfied with the established religion, he ought to repress the first attempts towards innovation, and only grant a toleration to sects that are diffused and established. See *L'Esprit des Loix*, liv. 25. c. 10.—According to this principle, Laud's indulgence to the catholics, and severity to the puritans, would admit of apology. I own, however, that it is very questionable, whether persecution can in any case be justified: but, at the same time, it would be hard to give that appellation to Laud's conduct, who only enforced the act of uniformity, and expelled the clergymen that accepted of benefices and yet refused to observe the ceremonies, which they previously knew to be enjoined by law. He never refused them separate places of worship; because they themselves would have esteemed it impious to demand them, and no less impious to allow them.

Note (L), p. 332.

DR. BIRCH has written a treatise on this subject. It is not my business to oppose any facts contained in that gentleman's performance. I shall only produce arguments which prove that Glamorgan, when he received his private commission, had injunctions from the king

to act altogether in concert with Ormond. (1.) It seems to be implied in the very words of the commission. Glamorgan is empowered and authorized to treat and conclude with the confederate Roman-catholics in Ireland. "If upon necessity any (*articles*) be condescended unto, wherein the king's lieutenant cannot so well be seen in, as not fit for us at present publicly to own." Here no articles are mentioned, which are not fit to be communicated to Ormond, but only not fit for him and the king publicly to be seen in, and to avow. (2.) The king's protestation to Ormond ought, both on account of that prince's character, and the reasons he assigns, to have the greatest weight. The words are these: "Ormond, I cannot but add to my long letter, that, upon the word of a Christian, I never intended Glamorgan should treat any thing without your approbation, much less without your knowledge. For, besides the injury to you, I was always diffident of his judgment (though I could not think him so extremely weak as now to my cost I have found); which you may easily perceive in a postscript of a letter of mine to you." Carte, vol. ii. App. xxiii.—It is impossible that any man of honour, however he might dissemble with his enemies, would assert a falsehood in so solemn a manner to his best friend, especially where that person must have had opportunities of knowing the truth. The letter, whose postscript is mentioned by the king, is to be found in Carte, vol. ii. App. xiii. (3.) As the king had really so low an opinion of Glamorgan's understanding, it is very unlikely that he would trust him with the sole management of so important and delicate a treaty. And if he had intended that Glamorgan's negotiation should have been independent of Ormond, he would never have told the latter nobleman of it, nor have put him on his guard against Glamorgan's imprudence. That the king judged aright of this nobleman's character, appears from his *Century of Arts, or Scantling of Inventions*, which is a ridiculous compound of lies, chimeras, and impossibilities, and shows what might be expected from such a man. (4.) Mr. Carte has published a whole series of the king's correspondence with Ormond, from the time that Glamorgan came into Ireland; and it is evident that Charles all along considers the lord lieutenant as the person who was conducting the negotiations with the Irish. The 31st of July, 1645, after the battle of Naseby, being reduced to great straits, he writes earnestly to Ormond to conclude a peace upon certain conditions mentioned, much inferior to those granted by Glamorgan; and to come over himself with all the Irish he could engage in his service. Carte, vol. iii. N° 400.—This would have been a great absurdity, if he had already fixed a different canal, by which, on very different conditions, he purposed to esta-

lish a peace. On the 22nd of October, as his distresses multiply, he somewhat enlarges the conditions, though they still fall short of Glamorgan's—a new absurdity! See Carte, vol. iii. p. 411.—(5.) But what is equivalent to a demonstration, that Glamorgan was conscious that he had no powers to conclude a treaty on these terms, or without consulting the lord lieutenant, and did not even expect that the king would ratify the articles, is the defeazance which he gave to the Irish council at the time of signing the treaty. "The earl of Glamorgan does no way intend hereby to oblige his majesty other than he himself shall please, after he has received these ten thousand men as a pledge and testimony of the said Roman-catholics' loyalty and fidelity to his majesty; yet he promises faithfully, upon his word and honour; not to acquaint his majesty with this defeazance, till he had endeavoured, as far as in him lay, to induce his majesty to the granting of the particulars in the said articles: but that done, the said commissioners discharge the said earl of Glamorgan, both in honour and conscience, of any farther engagement to them therein; though his majesty should not be pleased to grant the said particulars in the articles mentioned; the said earl having given them assurance, upon his word, honour, and voluntary oath, that he would never, to any person whatsoever, discover this defeazance in the interim without their consents." Dr. Birch, p. 96.—All Glamorgan's view was to get troops for the king's service without hurting his own honour or his master's. The wonder only is, why the Irish accepted of a treaty, which bound nobody, and which the very person who concludes it, seems to confess he does not expect to be ratified. They probably hoped that the king would, from their services, be more easily induced to ratify a treaty which was concluded, than to consent to its conclusion. (6.) I might add, that the lord lieutenant's concurrence in the treaty was the more requisite; because without it the treaty could not be carried into execution by Glamorgan, nor the Irish troops be transported into England: and even with Ormond's concurrence, so clearly appears, that a treaty, so ruinous to the protestant religion in Ireland, could not be executed in opposition to the zealous protestants of that kingdom. No one can doubt of this truth, who peruses Ormond's correspondence in Mr. Carte. The king was sufficiently apprized of this difficulty. It appears indeed to be the only reason why Ormond objected to the granting of high terms to the Irish catholics.

Dr. Birch, in p. 360, has published a letter of the king's to Glamorgan, where he says "Howbeit I know you cannot be but confident of my making good all instructions and promises to you and the nuncio." But it is to be remarked, that this letter is dated April 5

1646; after there had been a new negotiation entered into between Glamorgan and the Irish, and after a provisional treaty had even been concluded between them. See Dr. Birch, p. 179.—The king's assurances, therefore, can plainly relate only to this recent transaction. The old treaty had long been disavowed by the king, and supposed by all the parties to be annulled.

Note (M), p. 345.

SALMONET, Ludlow, Hollis, &c. all these, especially the last, being the declared inveterate enemies of Cromwel, are the more to be credited, when they advance any fact, which may serve to apologize for his violent and criminal conduct. There prevails a story, that Cromwel intercepted a letter written to the queen, where the king said, that he would first raise and then destroy Cromwel. But, besides that this conduct seems to contradict the character of the king, it is, on other accounts, totally unworthy of credit. It is first told by Roger Coke, a very passionate and foolish historian, who wrote too so late as king William's reign; and even he mentions it only as a mere rumour or hearsay, without any known foundation. In the memoirs of lord Broghill, we meet with another story of an intercepted letter which deserves some more attention, and agrees very well with the narration here given. It is thus related by Mr. Maurice, chaplain to Roger earl of Orrery: "Lord Orrery, in the time of his greatness with Cromwel, just after he had so seasonably relieved him in his great distress at Clonmell, riding out of Youghall one day with him and Ireton, they fell into discourse about the king's death. Cromwel thereupon said, more than once, that if the king had followed his own judgment, and had been attended by none but trusty servants, he had fooled them all; and that once they had a mind to have closed with him; but, upon something that happened, fell off from that design. Orrery finding them in good humour, and being alone with them, asked, if he might presume to desire to know, why they would once have closed with his majesty, and why they did not? Cromwel very freely told him, he would satisfy him in both his queries. 'The reason (says he) why we would have closed with the king was this: we found that the Scotch and presbyterians began to be more powerful than we, and were likely to agree with him and leave us in the lurch. For this reason we thought it best to prevent them, by offering first to come in upon reasonable conditions: but whilst our thoughts were taken up with this subject, there came a letter to us from one of our spies, who was of the king's bed chamber, acquainting us, that our final doom was decreed that very day; that he could not

possibly learn what it was, but we might discover it, if we could but intercept a letter sent from the king to the queen, wherein he informed her of his resolution; that this letter was sown up in the skirt of a saddle, and the bearer of it would come with the saddle upon his head, about ten of the clock that night to the Blue Boar in Holborn, where he was to take horse for Dover. The messenger knew nothing of the letter in the saddle, though some in Dover did. We were at Windsor (said Cromwel) when we received this letter, and immediately upon the receipt of it, Ireton and I resolved to take one trusty fellow with us, and

go in troopers' habits to that inn. We did so; and leaving our man at the gate of the inn (which had a wicket only open to let persons in and out), to watch and give us notice when any man came in with a saddle, we went into a drinking-stall. We there continued drinking cans of beer till about ten of the clock, when our centinel at the gate gave us notice that the man with the saddle was come. We rose up presently, and just as the man was leading out his horse saddled, we came up to him with drawn swords, and told him we were to search all that went in and out there; but as he looked like an honest man, we would only search his saddle, and so dismiss him. The saddle was ungirt; we carried it into the stall where we had been drinking, and ripping open one of the skirts, we here found the letter we wanted. Having thus got it into our hands, we delivered the man (whom we had left with our centinel) his saddle, told him he was an honest fellow, and bid him go about his business; which he did, pursuing his journey without more ado, and ignorant of the harm he had suffered. We found in the letter that his majesty acquainted the queen that he was courted by both factions, the Scotch presbyterians and the army; and that those which bade the fairest for him should have him: but yet he thought he should close with the Scots sooner than with the other. Upon this we returned to Windsor; and finding we were not like to have good terms from the king, we from that time vowed his destruction."—This relation, suiting well enough with other passages and circumstances at this time, I have inserted to gratify the reader's curiosity." Carte's *Ormond*, vol. ii. p. 12.

Note (N), p. 346.

THESE are the words: "Lanerie; I wonder to hear (if that be true) that some of my friends say, that my going to Jersey would have much more furthered my personal treaty, than my coming hither, for which, as I see no colour of reason, so I had not been here, if I had thought that fancy true, or had not been secured of a personal treaty; of which I neither

do, nor I hope will repent : for I am daily more and more satisfied with the governor, and find these islanders very good, peaceable, and quiet people. This encouragement I have thought not unfit for you to receive, hoping at least it may do good upon others, though needless to you." Burnet's *Memoirs of Hamilton*, p. 326. See also Rushworth, part 4. vol. ii. p. 941.—All the writers of that age, except Clarendon, represent the king's going to the Isle of Wight as voluntary and intended. Perhaps the king thought it little for his credit, to be trepanned into this measure, and was more willing to take it on himself as entirely voluntary. Perhaps he thought it would encourage his friends, if they thought him in a situation which was not disagreeable to him.

c. *Note (O), p. 352.*

THE king composed a letter to the prince, in which he related the whole course of this transaction, and accompanied his narrative with several wise, as well as pathetical, reflections and advices. The words with which he concluded the letter are remarkable : " By what hath been said, you see how long I have laboured in the search of peace : do not you be disheartened to tread in the same steps. Use all worthy means to restore yourself to your rights, but prefer the way of peace ; show the greatness of your mind, rather to conquer your enemies by pardoning, than by punishing. If you saw how unmanly and unchristian the implacable disposition is in our ill-wishers, you would avoid that spirit. Censure me not for having parted with so much of our right. The price was great ; but the commodity was, security to us, peace to my people. And I am confident, that another parliament would remember, how useful a king's power is to a people's liberty ; of how much power I divested myself, that I and they might meet once again in a parliamentary way, in order to agree the bounds of prince and people. Give belief to my experience, never to affect more greatness or prerogative, than what is really and intrinsically for the good of the subjects, not the satisfaction of favourites. If you thus use it, you will never want means to be a father to all, and a bountiful prince to any, whom you incline to be extraordinarily gracious to. You may perceive that all men intrust their treasure where it returns them interest ; and if a prince, like the sea, receive and repay all the fresh streams, which the rivers intrust to him, they will not grudge, but pride themselves, to make him up an ocean. These considerations may make you as great a prince as your father is a low one ; and your state may be so much the more established, as mine hath been shaken. For our subjects have learned, I dare say, that victories over their

princes are but triumphs over themselves, and so will more unwillingly hearken to changes hereafter. The English nation are a sober people, however at present infatuated. I know not but this may be the last time I may speak to you or the world publicly. I am sensible into what hands I am fallen ; and yet, I bless God, I have those inward refreshments, which the malice of my enemies cannot perturb. I have learned to be busy myself, by retiring into myself ; and therefore can the better digest whatever befalls me, not doubting but God's providence will restrain our enemies' power, and turn their fierceness into his praise. To conclude, if God give you success, use it humbly, and be ever far from revenge. If he restore you to your right on hard conditions, whatever you promise, keep. These men, who have violated laws, which they were bound to preserve, will find their triumphs full of trouble. But do not you think any thing in the world worth attaining by foul and unjust means."

Note (P), p. 359.

THE imputation of insincerity on Charles I. like most party clamours, is difficult to be removed ; though it may not here be improper to say something with regard to it. I shall first remark, that this imputation seems to be of a later growth than his own age ; and that even his enemies, though they loaded him with many calumnies, did not insist on this accusation. Ludlow, I think, is almost the only parliamentarian, who imputes that vice to him ; and how passionate a writer he is, must be obvious to every one. Neither Clarendon, nor any other of the royalists, ever justify him from insincerity ; as not supposing that he had ever been accused of it. In the second place, his deportment and character in common life was free from that vice : he was reserved, distant, stately ; bold in his address, plain in his discourse, inflexible in his principles ; wide of the caressing, insinuating manners of his son ; or the professing, talkative humour of his father. The imputation of insincerity must be grounded on some of his public actions, which we are therefore in the third place to examine. The following are the only instances which I find cited to confirm that accusation. (1.) His vouching Buckingham's narrative of the transactions in Spain. But it is evident that Charles himself was deceived : why otherwise did he quarrel with Spain ? The following is a passage of a letter from lord Kensington, ambassador in France, to the duke of Buckingham, Cabala, p. 318. " But his highness (the prince) had observed as great a weakness and folly as that, in that after they (the Spaniards) had used him so ill, they would suffer him to depart, which was one of the first speeches he uttered after he came

into the ship: But did he say so? said the queen (of France.) Yes, madam, I will assure you, quoth I, from the witness of mine own ears. She smiled and replied, Indeed I heard he was used ill. So he was, answered I, but not in his entertainment; for that was as splendid as that country could afford it; but in their frivolous delays, and in the unreasonable conditions which they propounded and pressed, upon the advantage they had of his princely person." (2.) Bishop Burnet, in his History of the House of Hamilton, p. 154, has preserved a letter of the king's to the Scottish bishops, in which he desires them not to be present at the parliament, where they would be forced to ratify the abolition of their own order: "For," adds the king, "we do hereby assure you, that it shall be still one of our chiefest studies how to rectify and establish the government of that church aright, and to repair your osses, which we desire you to be most confident of." And in another place, "You may rest secure, that though perhaps we may give way for the present to that which will be prejudicial both to the church and our own government; yet we shall not leave thinking in time how to remedy both." But does the king say, that he will arbitrarily revoke his concession? Does not candour require us rather to suppose, that he hoped his authority would so far recover as to enable him to obtain the national consent to re-establish episcopacy, which he believed so material a part of religion as well as of government? It is not easy indeed to think how he could hope to effect this purpose in any other way than his father had taken, that is. by consent of parliament. (3.) There is a passage in lord Clarendon, where it is said, that the king assented the more easily to the bill, which excluded the bishops from the house of peers; because he thought, that that law, being enacted by force, could not be valid. But the king certainly reasoned right in that conclusion. Three-fourths of the temporal peers were at that time banished by the violence of the populace: twelve bishops were unjustly thrown into the Tower by the commons. great numbers of the commons themselves were kept away by fear or violence: the king himself was chased from London. If all this be not force, there is no such thing. But this scruple of the king's affects only the bishops' bill, and that against pressing. The other constitutional laws had passed without the least appearance of violence, as did indeed all the bills passed during the first year, except Strafford's attainder, which could not be recalled. The parliament, therefore, even if they had known the king's sentiments in this particular, could not, on that account, have had any just foundation of jealousy. (4.) The king's letter, intercepted at Naseby, has been the source of much clamour. We have spoken

of it already in chap. lviii. Nothing is more usual in all public transactions than such distinctions. After the death of Charles II. of Spain, king William's ambassadors gave the duke of Anjou the title of King of Spain: yet at that very time king William was secretly forming alliances to dethrone him: and soon after he refused him that title, and insisted (as he had reason) that he had not acknowledged his right. Yet king William justly passes for a very sincere prince; and this transaction is not regarded as any objection to his character in that particular. In all the negotiations at the peace of Ryswic, the French ambassadors always addressed king William as king of England; yet it was made an express article of the treaty, that the French king should acknowledge him as such. Such a palpable difference is there between giving a title to a prince, and positively recognising his right to it. I may add, that Charles, when he inserted that protestation in the council-books before his council, surely thought he had reason to justify his conduct. There were too many men of honour in that company to avow a palpable cheat. To which we may subjoin, that if men were as much disposed to judge of this prince's actions with candour as severity, this precaution of entering a protest in his council-books might rather pass for a proof of scrupulous honour; lest he should afterwards be reproached with breach of his word, when he should think proper again to declare the assembly at Westminster no parliament. (5.) The denying of his commission to Glamorgan is another instance which has been cited. This matter has been already treated in a note to chap. lviii. That transaction was entirely innocent. Even if the king had given a commission to Glamorgan to conclude that treaty, and had ratified it, will any reasonable man in our age think it strange, that, in order to save his own life, his crown, his family, his friends, and his party, he should make a treaty with papists, and grant them very large concessions for their religion? (6.) There is another of the king's intercepted letters to the queen commonly mentioned; where it is pretended, he talked of raising and then destroying Cromwel: but that story stands on no manner of foundation, as we have observed in a preceding note to this chapter. In a word, the parliament, after the commencement of their violences, and still more, after beginning the civil war, had reason for their scruples and jealousies, founded on the very nature of their situation, and on the general propensity of the human mind; not on any fault of the king's character; who was candid, sincere, upright, as much as any man whom we meet with in history. Perhaps, it would be difficult to find another character so unexceptionable in this particular.

As to the other circumstances of Charles's character, chiefly exclaimed against, namely, his arbitrary principles in government, one may venture to assert, that the greatest enemies of this prince will not find, in the long line of his predecessors, from the conquest to his time, any one king, except perhaps his father, whose administration was not more arbitrary and less legal, or whose conduct could have been recommended to him by the popular party themselves, as a model, in this particular, for his government. Nor is it sufficient to say, that example and precedent can never authorize vices: examples and precedents, uniform and ancient, can surely fix the nature of any constitution, and the limits of any form of government. There is indeed no other principle by which those land-marks or boundaries can be settled.

What a paradox in human affairs, that Henry VIII. should have been almost adored in his lifetime, and his memory be respected while Charles I. should, by the same people, at no greater distance than a century, have been led to a public and ignominious execution, and his name be ever after pursued by falsehood and by obloquy! Even at present, an *Arrian* who, prompted by his courageous generosity, should venture, though from the most authentic and undisputed facts, to vindicate the fame of that prince, would be sure to meet with such treatment, as would discourage even the boldest from so dangerous, however splendid, an enterprise.

* *Note (Q)*, p. 366.

THE following instance of extravagance is given by Walker, in his *History of Independence*, Part II. p. 152. About this time there came six soldiers into the parish church of Walton upon Thames, near twilight: Mr. Faucet, the preacher there, not having till then ended his sermon. One of the soldiers had a lanthorn in his hand, and a candle burning in it, and in the other hand four candles not lighted. He desired the parishioners to stay awhile, saying he had a message from God unto them, and thereupon offered to go into the pulpit. But the people refusing to give him leave so to do, or to stay in the church, he went into the church-yard, and there told them that he had a vision, wherein he had received a command from God to deliver his will unto them, which he was to deliver, and they to receive upon pain of damnation; consisting in ~~five~~ lights. (1.) "That the sabbath was abolished as unnecessary, Jewish, and merely ceremonial. And here (quoth he) I should put out the first light, but the wind is so high I cannot kindle it. (2.) That tithes are abolished as Jewish and ceremonial, a great burden to the saints of God, and a discouragement

of industry and tillage. And here I should put out my second light, &c. (3.) That ministers are abolished as antichristian, and of no longer use, now Christ himself descends into the hearts of his saints, and his spirit enlighteneth them with revelations and inspirations. And here I should put out my third light, &c. (4.) Magistrates are abolished as useless, now that Christ himself is in purity amongst us, and hath erected the kingdom of the skints upon earth. Besides, they are tyrants and oppressors of the liberty of the saints, and tie them to laws and ordinances, mere human inventions. And here I should put out my fourth light, &c. (5.) Then putting his hand into his pocket, and pulling out a little bible, he showed it open to the people, saying, Here is a book you have in great veneration, consisting of two parts, the old and new testaments: I must tell you, it is abolished! it containeth beggarly rudiments, milk for babes: but now Christ is in glory amongst us, and imparts a farther measure of his spirit to his saints than this can afford. I am commanded to burn it before your face. Then putting out the candle he said, And here my fifth light is extinguished." It became pretty common doctrine at that time, that it was unworthy of a christian man to pay rent to his fellow-creatures: and landlords were obliged to use all the penalties of law against their tenants, whose conscience was scrupulous.

Note (R), p. 379.

WHEN the earl of Derby was alive, he had been summoned by Ireton to surrender the isle of Man; and he returned this spirited and memorable answer: "I received your letter with indignation, and with scorn returned you this answer; that I cannot but wonder whence you should gather any hopes, that I should prove like you, treacherous to my sovereign; since you cannot be ignorant of my former actions in his late majesty's service, from which principles of loyalty I am no whit departed. I scorn your proffers; I disclaim your favour; I abhor your treason; and am so far from delivering up this island to your advantage, that I shall keep it to the utmost of my power to your destruction. Take this for your final answer, and forbear any farther solicitations; for if you trouble me with any more messages of this nature, I will burn the paper and hang up the bearer. This is the immutable resolution, and shall be the undoubted practice of him, who accounts it his chiefest glory to be his majesty's most loyal and obedient subject."

"DERBY."

Note (S), p. 380.

It had been a usual policy of the presbyterian ecclesiastics to settle a chaplain in the great

families, who acted as a spy upon his master, and gave them intelligence of the most private transactions and discourses of the family. A signal instance of priestly tyranny, and the subjection of the nobility! They even obliged the servants to give intelligence against their masters. Whitlocke, p. 502. The same author, p. 512, tells the following story:—The synod meeting at Perth, and citing the ministers and people, who had expressed a dislike of *their heavenly government*, the men being out of the way, their wives resolved to answer for them. And, on the day of appearance, a hundred and twenty women, with good clubs in their hands, came and besieged the church, where the reverend ministers sat. They sent one of their number to treat with the females, and he threatening excommunication, they basted him for his labour, kept him prisoner, and sent a party of sixty, who routed the rest of the clergy, bruised their bodies sorely, took all their baggage and twelve horses. One of the ministers, after a mile's running, taking all creatures for his foes, meeting with a soldier, fell on his knees, who knowing nothing of the matter, asked the black-coat what he meant? The female conquerors, having laid hold on the synod clerk, beat him till he forswore his office. Thirteen ministers rallied about four miles from the place, and voted that this village should never more have a synod in it, but be accursed; and that though in the years 1638 and 39, the godly women were cried up for stoning the bishops, yet now the whole sex should be esteemed wicked.

Note T, p. 400.

ABOUT this time an accident had almost robbed the protector of his life, and saved his enemies the trouble of all their machinations. Having got six fine Friesland coach-horses as a present from the count of Oldenburgh, he undertook for his amusement to drive them about Hyde-park; his secretary, Thurlow, being in the coach. The horses were startled and ran away: he was unable to command them or keep the box. He fell upon the pole, was dragged upon the ground for some time; a pistol, which he carried in his pocket, went off; and by that singular good fortune, which ever attended him, he was taken up without any considerable hurt or bruise.

Note U, p. 421.

AFTER Monk's declaration for a free parliament on the 11th of February, he could mean nothing but the king's restoration: yet it was long before he would open himself even to the king. This declaration was within eight days after his arrival in London. Had he ever intended to have set up for himself, he would

not surely have so soon abandoned a project so inviting: he would have taken some steps, which would have betrayed it. It could only have been some disappointment, some frustrated attempt, which could have made him renounce the road of private ambition. But there is not the least symptom of such intentions. The story told of sir Anthony Ashley Cooper, by Mr. Locke, has not any appearance of truth. See Lord Lansdowne's Vindication, and Philip's Continuation of Baker. I shall add to what those authors have advanced, that cardinal Mazarine wished for the king's restoration; though he would not have ventured much to have procured it.

Note V, p. 457.

THE articles were, that he had advised the king to govern by military power without parliaments, that he had affirmed the king to be a papist or popishly affected, that he had received great sums of money for procuring the Canary patent and other illegal patents, that he had advised and procured divers of his majesty's subjects to be imprisoned against law, in remote islands and garrisons, thereby to prevent their having the benefit of the law, that he had procured the customs to be farmed at under rates, that he had received great sums from the Vintners' company, for allowing them to enhance the price of wines, that he had in a short time gained a greater estate than could have been supposed to arise from the profits of his offices, that he had introduced an arbitrary government into his majesty's plantations, that he had rejected a proposal for the preservation of Novis and St. Christopher's, which was the occasion of great losses in those parts, that when he was in his majesty's service beyond sea, he held a correspondence with Cromwel and his accomplices, that he advised the sale of Dunkirk, that he had unduly altered letters patent under the king's seal, that he had unduly decided causes in council, which should have been brought before chancery, that he had issued quo warrantos against corporations with an intention of squeezing money from them, that he had taken money for passing the bill of settlement in Ireland, that he betrayed the nation in all foreign treaties, and that he was the principal adviser of dividing the fleet in June 1666.

Note W, p. 468.

THE abstract of the Report of the Brookhouse committee (so that committee was called) was first published by Mr. Ralph, vol. ii. p. 177, from lord Halifax's collections, to which I refer. If we peruse their apology, which we find in the subsequent page of the same author we shall find that they acted with some malign-

nity towards the king. They would take notice of no services performed before the 1st of September, 1664. But all the king's preparations preceded that date, and, as chancellor Clarendon told the parliament, amounted to eight hundred thousand pounds; and the computation is very probable. This sum, therefore, must be added. The committee likewise charged seven hundred thousand pounds to the king on account of the winter and summer guards, saved during two years and ten months that the war lasted. But this seems iniquitous. For though that was an usual burthen on the revenue, which was then saved; would not the diminution of the customs, during the war, be an equivalent to it? Besides, near three hundred and forty thousand pounds are

charged for prize-money, which perhaps the king thought he ought not to account for. These sums exceed the million and a half.

Note X, p. 470.

GOURVILLE has said in his *Memoirs*, vol. ii. p. 14. 67, that Charles was never sincere in the triple alliance; and that, having entertained a violent animosity against De Wit, he endeavoured by this artifice to detach him from the French alliance, with a view of afterwards finding an opportunity to satiate his vengeance upon him. This account, though very little honourable to the king's memory, seems probable from the events, as well as from the authority of the author.

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- art of printing, *ib.* Terms the pope antichrist, 508. Several of his disciples take shelter in England, 617.
- Luxemburg*, marshal, defeats the prince of Orange at St. Omer's, ii. 497. Is attacked at St. Dennis by the prince of Orange, the day after the peace of Nimeguen, 503.
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- Lions*, a general council called there by pope Innocent IV. to excommunicate the emperor Frederic II. i. 223. Complaints transmitted to it by Henry III. and his nobility, *ib.* Counsel of, removed thither from Pisa, 485. Interdicted by the pope, *ib.* Renounced by Lewis XII. of France, 493.
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- Macbeth*, a Scots nobleman, murders Duncan king of Scotland, and usurps the crown, i. 57. Is defeated and killed by Siward duke of Northumberland, *ib.*
- Macraill*, a Scots covenantor, expires under torture in ecstasy, ii. 463.
- Macgill*, sir James, is by the Scots parliament appointed a commissioner to treat with Elizabeth concerning Mary, ii. 8. Is dismissed by Elizabeth without concluding on any thing, *ib.*
- Mackrel*, Dr. prior of Barlings, heads an insurrection against Henry VIII. i. 534. Is deserted by his adherents, taken, and executed, *ib.*
- Madrid*, treaty of, between the emperor Charles V. and his prisoner Francis I. of France, i. 517.
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- Magdalene*, sister to pope Leo X. the produce of indulgences in Saxony assigned to her, i. 506. Farms the sale out to Arcemboldi, a Genoese, *ib.*—See *Arcemboldi*.
- Magdalene college*, Oxford, its contest with James II. ii. 581. The president and fellows expelled, *ib.* Gifford, doctor to the Sorbonne, appointed by mandate, 583.
- Magna Charta*.—See *Charter of Liberties*.
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- Montecuculi**, the Imperial general, joins the prince of Orange, and obliges Lewis XIV. to abandon his conquest in the Low-countries, ii. 486.
- Montfort**, Simon de, appointed a general of the crusade published by pope Innocent III. against the Albigenses, i. 188. For his son, see *Leicester*.
- Montmorency**, constable, commands the French army, against the Spanish under Phillibert duke of Savoy, i. 647. Is defeated, and taken prisoner, at the battle of St. Quintin, *ib.* His sentiments of the marriage of the dauphin with the queen of Scotland, 664. Joins the duke of Guise against the prince of Condé, 677. Takes Rouen from the protestants, 678. Is taken prisoner by the protestants at the battle of Dreux, *ib.* Is released by treaty, 680. Besieges Havre-de-Grace, 681. Takes it by capitulation, *ib.* Is killed at the battle of St. Dennis, k. 13.
- Montreville**, the French ambassador, prevails with Charles I. to seek protection in the Scots army, ii. 333.
- Montrose**, earl of, his first introduction to Charles I. ii. 324. Is imprisoned in Scotland for his attachment to the king, *ib.* Procures duke Hamilton's disgrace with the king, 325. Negotiates for Irish troops, to make a diversion in Scotland, *ib.* Defeats lord Elcho, *ib.* Defeats lord Burley, *ib.* Rout's Argyle's forces, and is joined by great numbers of them, 326. Takes and plunders Dundee, *ib.* Defeats Urrey and Baillie, *ib.* Defeats the covenanters at Kilsyth, 330. Is conquered by David Lesley, 331. Retires abroad, 334. Raises levies to assist Charles II. 370. Lands in Scotland, is defeated and taken prisoner, *ib.* His cruel treatment, 371. Is executed, 372.
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- Morrice**, attorney of the court of wards, makes a motion in the house of commons, against abuses of ecclesiastical power, ii. 75. Is divested of his employments, and imprisoned, 76.
- , a gentleman of Devonshire, is the only friend with whom general Monk consulted concerning the restoration of Charles II. i. 421. Is made secretary of state by the king, 431.
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- Mortimer**, Roger, earl of March, declared successor by Richard II. i. 348. Killed in Ireland, 351. His sons kept prisoners in Windsor-castle, by Henry IV. 360.
- Mortimer's cross**, battle of, between Jasper Tudor earl of Pembroke, and Edward duke of York, i. 412.
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- Mountfort**, count de, half brother to John III. duke of Brittany, acknowledges Charles de Blois as successor to that duchy, i. 309. Endeavours to acquire possession of the duchy, *ib.* Engages Edward III. of England to patronise his pretensions, *ib.* Goes to Paris to plead his cause, *ib.* Is taken and confined in the tower of the Louvre, *ib.*—See the next article.
- , Jane countess of, her vigorous efforts to support her husband's interest in Brittany, i. 309. Is besieged by Charles de Blois at Hennebonne, *ib.* Her vigorous defence, 310. Is relieved by an English fleet, *ib.* Goes to England to solicit further succour, *ib.* A truce concluded for three years, *ib.* Takes Charles de Blois prisoner, 316. Her son obtains possession of Brittany, and is acknowledged by France, 328.
- Mountjoy**, lord, protests against the bill establishing a council to judge offences against the king's proclamations, the only protest against any public bill during the reign of Henry VIII. i. 578.
- , lord, is sent lord deputy to Ireland on

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- , Robert earl of Northumberland, excites a conspiracy against William Rufus, i. 101. Dies in confinement, *ib.*
- Munster*, bishop of, invades the Dutch territories at the instigation of Charles II. but makes peace with the states, ii. 451.
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- Murtagh*, earl of, appointed by Robert Bruce joint commander of the Scots army with lord Douglas, invading England on the death of Edward II. i. 294. His reply to the defiance of Edward III. 295. Retires home, *ib.* Is appointed guardian to David Bruce, 297. Dies, 298.
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- Naples* conquered by the joint force of France and Spain, i. 484. Seized by the latter, *ib.*
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- , Henry, prince of, is placed by Coligni at the head of the protestants after the defeat of Jarnac, ii. 13. Is married to Margaret, sister to Charles, 19. His mother poisoned by order of the court, *ib.* Is obliged by Charles to renounce the protestant religion at the price of his life, during the massacre of Paris, 20. Flies from the court, and places himself again at the head of the Hugonots, 22. Defeats the king at Coutras, 72. Obtains the crown of France on the death of Henry III. 73.—See *Henry IV.*
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- Newburn*, lord Conway routed there by the Scots covenanters, ii. 242.
- Newbury*, battle of, between Charles I. and the earl of Essex, i. 302. Second battle of, 314.
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- , earl of, commands for the king in the north of England, and takes possession of York, ii. 296. Is created marquis, 303. Is repulsed in an attack upon Hull, *ib.* Is besieged in York, by the parliamentary army, 311. Leaves the kingdom in disgust after the battle of Marston-moor, 313.
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- , duke of, challenges his accuser the duke of Hereford, i. 350. The duel prevented by Richard II. *ib.* Banished for life, *ib.*
- , Roger Bigod earl of, is appointed agent for Henry III. to the council of Lyons, i. 224. Objects to king John's right of subjecting England to the supremacy of Rome, *ib.* His address to Henry III. on the parliament assembling in armour, 228. Is gained over to the royal party by prince Edward, 233. Refuses to serve in the expedition to Gascony, and quarrels with the king, 264. Refuses to attend the king to Flanders, *ib.* A new marshal appointed in his place for that service, *ib.* He and the earl of Hereford present a remonstrance to him on his departure, 265. Demands of parliament a confirmation of the charters, and indemnity for himself, which are granted, *ib.* Obtains a full confirmation of them from the king on his return, *ib.*
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- Norfolk*, the young duke of, is appointed lieutenant of the northern counties by queen Elizabeth, i. 665. Is appointed one of the commissioners in the cause between Mary queen of Scots and Murray the regent, 699. Entertains hopes of marrying Mary, 700. Transmits Murray's queries to Elizabeth, *ib.* His character, ii. 3. A marriage with Mary proposed to him by Murray, *ib.* Obtains the countenance of several of the nobility to this scheme, 4. Secures the concurrence of France and Spain, *ib.* Receives intimations from the queen of her knowledge of his negotiations, *ib.* Endeavours to discredit the reports raised against him to the queen, 5. Is committed to the Tower, and his friends taken into custody, *ib.* Is released on promise of thinking no farther of Mary, 6. Renews his correspondence with Mary, 16. Enters into conspiracy with the duke of Alva, against Elizabeth, 17. His scheme discovered by lord Burleigh, *ib.* Is tried, *ib.* Executed, *ib.*
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—, Owen, enters into a conspiracy with Rinuccini, the pope's legate, against the lord lieutenant Ormond, ii. 366. Enters into a correspondence with the parliamentary generals, 366. Is reduced by Cromwel, 367.

—, sir Phelim, engages in Roger More's conspiracy to expel the English from Ireland, ii. 268. His cruel massacre of the English in Ulster, 269. Forges a commission from the king for his insurrection, 272. Is taken and executed by Ireton, 380.

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—, William prince of, is condemned as a rebel, and his possessions confiscated by the duke of Alva, ii. 23. Unites the towns of Holland and Zealand into a league against the Spanish government, *ib.* Sends an embassy to implore the assistance of Elizabeth, 24. Concludes the treaty called the pacification of Ghent, *ib.* Concludes a treaty with queen Elizabeth, *ib.* Is assassinated by Gerard, 41.

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—, bishop of, marries Mary queen of Scots to Bothwell, i. 692. Is appointed one of the commissioners in her cause, on the part of the king and kingdom, 699.

Orleans, city of, besieged by the earl of Salisbury, i. 387. Succeeded by the earl of Suffolk on his death, *ib.* Cannon first successfully applied at this siege, *ib.* Battle of Herrings, *ib.* The duke of Burgundy recalls his troops from the siege, 388. Joan d'Arc enters it with a convoy, 389. A second convoy enters unmolested, 390. The English repulsed from several of their posts, *ib.* Amusement of the besiegers, *ib.* The siege raised, *ib.* (See *Joan d'Arc*.) Is besieged by the duke of Guise, 680. Guise assassinated there, *ib.*

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—, Lewis duke of, disputes the administration of France, during the minority of Charles VIII. with the princess Anne of Beaugency, i. 457. Obligated to fly to the court of Brittany, *ib.* Commands the duke of Brittany's forces against the invasion of France, *ib.* Taken prisoner by the French, 459. Released, to promote the king of France's suit to the dutchess of Brittany, 461. Succeeds to the crown of France, 473.—See *Lewis XII*.

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- , James duke of, second son of Charles I. serves in the French and Austrian armies during his brother's exile, ii. 404. A present voted him by parliament on his brother's restoration, 423. Takes command of the fleet which carried his brother over to England, as lord high admiral, 424. Seduces the daughter of lord Clarendon, 435. Marries her, *ib.* Becomes a zealous catholic, 444. His motives for desiring a Dutch war, 488. Commands a fleet, and defeats Opdam the Dutch admiral, 449. His behaviour in this engagement justified, *ib.* His dutchess dies a catholic, and he now openly professes the same religion, 473. Is, with the French fleet, attacked by de Ruyter at Solebay, 478. Is set aside by the test-act, 485. Maintains an intimate correspondence with the king of France, 490. His daughter the lady Mary married to the prince of Orange, 500. Obtains an exception to the new test-act, 512. Retires to Brabant, *ib.* 521. Gift of exclusion passed against him by the commons, 524. Returns, and resumes the commons, 524. Returns, and presents him to the grand jury of Middlesex, 533. The exclusion resumed, 535. Arguments urged for and against his exclusion from the succession, *ib.* Holds a parliament in Scotland, 547. Returns to England, 548. His character administration there, *ib.* Sues Pilkington for libel of London for defamation, 550. His lady Anne married to prince of Wales, 560. Is restored to the office of high admiral, *ib.* His accession to the crown, 564.—See *James VI.*
- , *Yorkshire*, insurrection there, in Edward IV.'s time, i. 420. Defeated by the lord Montacute, *ib.* Joined by leaders of distinction, *ib.* Defeated again at Banbury, 421. Mutual executions, *ib.*
- , *Ypres*, taken by Lewis XIV. ii. 502.
- , *Yvree*, battle of, between Henry IV. of France, and the generals of the catholic league, ii. 73.

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- , *Zuytlestein*, his commission to England, and the consequences of it, ii. 587. Is sent by the prince of Orange to forbid king James returning to London, 594.

